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FILE NO. 97-91-59 ORDINANCE NO. 1-92

AN ORDINANCE AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 16.87 and DELETING SECTION 16.88 THERETO - WAIVER OF PENSIONS

Be it ordained by the People of the City land County of San Francisco:

Section 1. Chapter 16, San Francisco Administrative Code is hereby amended to read as follows:

NOTE: Additions or substitutions are indicated by underscore type; deletions are indicated by ((Double Parenthesis)).

Sec. 16.87. WAIVER OF PENSIONS - SIGNING AND FILING; EFFECTIVE DATE: WAIVER FORMS. A ((The)) person entitled to receive a pension may decline to accept all or part of future payments of such pension by a waiver signed and filed with the Retirement Board. Such waiver shall become effective on the date stated in the waiver ((or, if none, on the first day of the month next succeeding the month of filing)) and shall remain in effect until the waiving person's death or his or her filing of a signed revocation with the Retirement Board, whichever is earlier. Waivers and revocations shall be on forms furnished by the Retirement Board.

On and after January 1, 1992, any person elected to a City office, who waives pension payments under this Section, shall not be subject to the limitations on reemployment or payment for service in charter sections 8.509(j), 8.511, 8.559-13, 8.584-10, 8.585-13, 8.586-13 and 8.588.13.

((Sec. 16.88. WAIVER OF PENSIONS - DEPOSIT OF WAIVED PAYMENTS IN GENERAL FUND; PERSONS WAIVING TO REMAIN UNDER RETIREMENT REGULATIONS. Pension payments waived pursuant to Section 16.87 of this Code shall be deposited in the General Fund and shall in no event be paid to or on account of the person executing a waiver thereof. Persons waiving pension payments shall continue to be subject to Charter and ordinance provisions governing the Retirement System as if no waiver had been filed and the payments had been received.))

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Dan Maguire
DAN MAGUIRE
Deputy City Attorney

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
December 16, 1991	§	January 6, 1992
	§	
	§	
Ayes: Supervisors Alioto Britt	§	Ayes: Supervisors Achtenberg Alioto
Gonzalez Hallinan Hsieh Kennedy	§	Gonzalez Hallinan Hsieh Kennedy
Maher Migden Shelley	§	Maher Migden Shelley Ward
	§	
Absent: Supervisors Achtenberg Ward	§	Absent: Supervisor Britt

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
97-91-59

JAN 06 1992
Date Approved

Mayor

12/11/91 - As amended in Committee.

FILE NO. 101-91-28

ORDINANCE NO. 2-92

RO # 91105 SA # 40

(Government Funding)

APPROPRIATING $269,250 FOR CAPITAL IMPROVEMENT PROJECT (MISSION BAY PROJECT), CITY PLANNING FOR FISCAL YEAR 1991-92; PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

12/11/91 jlb

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1991-92 as follows:

Department And Number	Source Of Funds And Purpose of Appropriation	Amount Debit	Amount Credit
02-014	Special Revenue Development		
	Agreement Fund		
Project 001-00	Revenues		
57-5700 (052985)	Gifts	$269,250	
Project 001-01	Mission Bay Project		
20-2030 (331348)	Capital Improvement Project		$269,250

12/11/91 jlb

Section 2. Although the City haa incurred no legal obligation, the Board of Superviaors doea hereby ratify the action previously taken.

Approved As To Form
Louise H. Renne, City Attorney

Funds Available

BY: _____ Deputy City Attorney

_____ Controller

Ernie.9-(2)

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
December 16, 1991	January 6, 1992
Ayes: Supervisors Achtenberg Alioto Britt Hallinan Kennedy Maher Migden Shelley	Ayes: Supervisors Achtenberg Hallinan Kennedy Maher Migden Shelley Ward
Absent: Supervisors Gonzalez Hsieh Ward	Absent: Supervisors Alioto Britt Gonzalez Hsieh

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____ Clerk

File No. 101-91-28

JAN 16 1992

JAN 16 1992

Date Approved

_____ Mayor

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As amended in Committee
December 17, 1991

FILE NO. 45-91-67 ORDINANCE NO. 3-92

[SETTLEMENT OF LAWSUIT]

AUTHORIZATION SETTLEMENT OF LITIGATION OF LILLIAN JOHNSON AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR ~~$44,676.39.~~ $45,076.39

mlr 12/17

Be it ordained by the People of the City and County of San Francisco:

Section I. the City Attorney is hereby authorized to settle the action entitled LILLIAN JOHNSON v. CITY AND COUNTY OF SAN FRANCISCO, et al., Superior Court No. 932-967, by the payment of ~~$44,676.39.~~ $45,076.39

mlr 12/17

APPROVED AS TO FORM AND RECOMMENDED:

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

DEPARTMENT OF SOCIAL SERVICES

JULIA LOPEZ
General Manager

FUNDS AVAILABLE:

CONTROLLER
45.00.00
0010

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
January 6, 1992	January 13, 1992
Ayes: Supervisors Achtenberg Hallinan Kennedy Maher Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisors Alioto Britt Gonzalez Hsieh	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-91-67

JAN 17 1992
Date Approved

Mayor

FILE NO. 45-91-65 ORDINANCE NO. 4-92

RO#91094

VIENNA YUAN v. CITY AND COUNTY OF SAN FRANCISCO
(SETTLEMENT OF LAWSUIT)

AUTHORIZING SETTLEMENT OF LITIGATION OF VIENNA YUAN AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $11, 387.44

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "VIENNA YUAN v. CITY AND COUNTY OF SAN FRANCISCO, et al., "Superior Court No.: 906-168," by the payment of $11,387.44.

APPROVED AS TO FORM
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

for KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

for RICHARD J. EVANS
Director, Department of Public Works

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 90
309674 1450 $11,387.44

NOV 13 1991

APPROVED:

FREDERIC A. HOWELL
Acting General Claims Agent
Public Utilities Commission

RUDOLF NOTHENBERG
Chief Administrative Officer

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
January 6, 1992	January 13, 1992
Ayes: Supervisors Achtenberg Hallinan Kennedy Maher Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisors Alioto Britt Gonzalez Hsieh	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

Clerk

File No. 45-91-65

JAN 21 1992
Date Approved

Mayor

FEB 10 1992
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FILE NO. 45-91-66

ORDINANCE NO. 5-92

RO #91110

(SETTLEMENT OF LAWSUIT)

AUTHORIZING SETTLEMENT OF LITIGATION OF STACY & WITBECK V. CITY AND COUNTY OF SAN FRANCISCO, ET AL. FOR $1,466,000.00.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the entire action entitled "STACY & WITBECK V. CITY AND COUNTY OF SAN FRANCISCO, ET AL." Superior Court No. 917-027 by the payment of $1,466,000.00, collection of $175,393.00 from Cogifer, Inc., and dismissal of cross-complaints against Stacy & Witbeck, West Bay and Nationwide, a Joint Venture, Cogifer, Inc., and B&P Custom Building Products. .

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

DEPARTMENT OF PUBLIC WORKS

RICHARD J. EVANS, Director

FUNDS AVAILABLE:

CONTROLLER

06 516 90 06 00
600569 2010 128 40 $1,466,000.00

APPROVED:

CHIEF ADMINISTRATIVE OFFICER

3034w

NOV 25 1991

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
January 6, 1992	January 13, 1992
Ayes: Supervisors Achtenberg Hallinan Kennedy Maher Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisors Alioto Britt Gonzalez Hsieh	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-91-66

JAN 21 1992
Date Approved

Mayor

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FILE NO. 45-91-68 ORDINANCE NO. 6-92

RO #91114

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF DOROTHY KIELY HEALY AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $12,500.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "DOROTHY KIELY HEALY v. CITY AND COUNTY OF SAN FRANCISCO, et al.," SUPERIOR COURT No. 910-100, by the payment of $12,500.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. TREILEY
Chief Trial Deputy

RECOMMENDED:

RICHARD J. EVANS, Director
Department of Public Works

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 90
309674 1450 $12,500.00

NOV 27 1991

APPROVED:

RUDOLF NOTHENBERG
Chief Administrative Officer

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
January 6, 1992	January 13, 1992
Ayes: Supervisors Achtenberg Hallinan Kennedy Maher Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisors Alioto Britt Gonzalez Hsieh	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

John L. Taylor
Clerk

File No. 45-91-68

JAN 21 1992
Date Approved

Mayor

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FILE NO. 45-91-69 ORDINANCE NO. 7-92

ANGUS M. PERA v. CITY AND COUNTY OF SAN FRANCISCO/DPW2140 RO #91115

(SETTLEMENT OF LAWSUIT)

AUTHORIZING SETTLEMENT OF LITIGATION OF ANGUS M. PERA AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $75,000.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "ANGUS M. PERA v. CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court No.: 919-060, by the payment of $75,000.

APPROVED AS TO FORM
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

RICHARD EVANS
Director, Department of Public Works

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 90
309674 1450 $75,000.00
NOV 27 1991

APPROVED:

RUDOLF NOTHENBERG
Chief Administrative Officer

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
January 6, 1992	January 13, 1992
Ayes: Supervisors Achtenberg Hallinan Kennedy Maher Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisors Alioto Britt Gonzalez Hsieh	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
45-91-69

JAN 21 1992
Date Approved

Frank M. Jordan
Mayor

FEB 10 1992
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FILE NO. 45-91-70

ORDINANCE NO. 8-92

RO #91109

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF DELLA FEELY and FERGUS FEELY v. CITY AND COUNTY OF SAN FRANCISCO.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "DELLA FEELY and FERGUS FEELY v. CITY AND COUNTY OF SAN FRANCISCO, ET AL." (Municipal Court No. 900-424), by the payment of Sixteen Thousand and Eight Hundred Seventy Five Dollars ($16,875).

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

PUBLIC HEALTH COMMISSION

RAYMOND BAXTER
Director

FUNDS AVAILABLE:

EDWARD HARRINGTON
CONTROLLER

01 001 97 09 86
309807 1450 $16,875.00

NOV 2, 1991

APPROVED:

PUBLIC HEALTH COMMISSION

SECRETARY

2455S/mm

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
January 6, 1992	January 13, 1992
Ayes: Supervisors Achtenberg Hallinan Kennedy Maher Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisors Alioto Britt Gonzalez Hsieh	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

Clerk

File No. 45-91-70

JAN 21 1992
Date Approved

Mayor

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FILE NO. 45-91-71

ORDINANCE NO. 9-92

RO #91107

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF SAM ADAMS AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $20,000.

Be it ordained by the People of the City and County of San Francisco:

SECTION 1. The City Attorney is hereby authorized to settle the action entitled "SAM ADAMS v. CITY AND COUNTY OF SAN FRANCISCO, et al., "Superior Court No. 909-373, by the payment of $20,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

DEPARTMENT OF PUBLIC WORKS

RICHARD EVANS, Director

APPROVED:

RUDOLF NOTHENBERG
Chief Administrative Officer

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
CONTROLLER

NOV 20 1991

01 001 97 09 90
309674 1450 $20,000.00

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
January 6, 1992	January 13, 1992
Ayes: Supervisors Achtenberg Hallinan Kennedy Maher Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisors Alioto Britt Gonzalez Hsieh	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-91-71

JAN 21 1992
Date Approved

Mayor

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FILE NO. 46-91-16 ORDINANCE NO. 10-92

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF DANIEL BENITEZ v. H & H SHIP SERVICE COMPANY, ET AL., UPON RECEIPT OF THE SUM OF $3,333.33 AND RELEASE OF LIEN.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized and directed to settle San Francisco Municipal Court No. 012742 entitled "Daniel Benitez, Plaintiff, v. H & H Ship Service Company, et al., Defendants" by acceptance of the sum of $3,333.33 from the defendants and releasing lien.

Section 2. Upon receipt of said sum of $3,333.33 and appropriate paperwork the City Attorney is authorized to release said lien.

APPROVED
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

By Kimberly A. Reily
KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

RETIREMENT BOARD
SAN FRANCISCO CITY AND COUNTY
EMPLOYEES' RETIREMENT SYSTEM

By Pam Levesque
PAM LEVESQUE
Executive Assistant to
General Manager

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
January 6, 1992	January 13, 1992
Ayes: Supervisors Achtenberg Hallinan Kennedy Maher Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisors Alioto Britt Gonzalez Hsieh	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
46-91-16

JAN 21 1992
Date Approved

Frank M. Jordan
Mayor

FEB 10 1992
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FILE NO. 65-91-8 ORDINANCE NO. 11-92

12/18/91
jlb

[Lease of AIDS Research Center]

AUTHORIZING AND APPROVING LEASE OF THE FIFTH AND SIXTH FLOORS OF BUILDING 3 AT SAN FRANCISCO GENERAL HOSPITAL TO THE REGENTS OF THE UNIVERSITY OF CALIFORNIA; PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

BE IT ORDAINED By the People of the City and County of San Francisco:

Section 1. The Board of Supervisors hereby finds that the University of California, through its School of Medicine, and the San Francisco General Hospital have cooperated closely for many years in providing professional staffing for the hospital and in the active conduct of medical research; that the cooperative efforts should be expanded to the installation of laboratories and offices to conduct medical research of virology and immunology as it relates to discerning the molecular biology and biochemistry of HIV I and thereby expanding AIDS basic research activities; and that the Regents of the University of California are prepared to establish the laboratories to provide the specified research facilities and provide staffing, equipment, and materials for such use at no cost to the City and County of San Francisco.

Section 2. The Board of Supervisors hereby finds that the leasing of approximately 21,775 square feet of the improved space on the fifth and sixth floors of Building 3 at San Francisco General Hospital with the Regents of the University of California for the operation of virology and immunology medical research laboratories and offices is for a public purpose and will promote the general welfare of the community.

Section 3. The Director of Property, the Director of Public Health and the Executive Administrator of the San Francisco General Hospital are authorized and directed to arrange a lease of said facilities with the University with said lease being for a period not to exceed three (3) months at a rental of $10,234.25 per month.

Section 4. In addition to the rental referenced above, the University shall pay its estimated prorata share of the costs for utilities and services of $2,830.75 per month.

12/18/91
jlb

Section 5. The Mayor and the Clerk of the Board of Supervisors, on behalf of the City and County of San Francisco, be and they are hereby authorized and directed to execute said lease.

Section 6. Although the City has incurred no legal obligation, the Board of Supervisors does hereby ratify the action previously taken.

APPROVED:

Director of Property

APPROVED:

Executive Administrator
San Francisco General Hospital

APPROVED AS TO FORM:
Louise H. Renne, City Attorney

By Leslie Brueckner
Deputy City Attorney

Director of Public Health

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
January 6, 1992	§	January 13, 1992
	§	
	§	
Ayes: Supervisors Achtenberg Alioto	§	Ayes: Supervisors Achtenberg Alioto
Gonzalez Hallinan Hsieh Kennedy	§	Britt Gonzalez Hallinan Hsieh
Maher Migden Shelley Ward	§	Kennedy Maher Migden Shelley Ward
	§	
Absent: Supervisor Britt	§	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
65-91-8

JAN 21 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 78-91-2 ORDINANCE NO. 12-92

[Transfer of Sick Leave and Vacation Benefits]

AMENDING CHAPTER 16, ARTICLE I OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 16.9-29(b) THEREOF, RELATING TO TRANSFER OF SICK LEAVE AND VACATION BENEFITS TO CATASTROPHICALLY ILL EMPLOYEES, BY REMOVING THE REQUIREMENT THAT AN EMPLOYEE BE UNABLE TO RETURN TO WORK FOR AT LEAST THIRTY DAYS FROM THE DEFINITION OF CATASTROPHICALLY ILL.

NOTE: Additions or substitutions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 16, Article I of the San Francisco Administrative is hereby amended by amending Section 16.9-29(b) thereof, to read as follows:

SEC. 16.9-29 TRANSFER OF SICK LEAVE AND VACATION CREDITS TO CATASTROPHICALLY SICK EMPLOYEES.

(a) PURPOSE. This section is enacted as a measure to permit the transfer of sick leave and vacation credits, as authorized by Charter Sections 8.364 and 8.441, respectively.

(b) DEFINITION OF CATASTROPHIC ILLNESS. In order to be declared catastrophically ill within the meaning of this section, an employee must meet all of the following conditions:

(1) The employee has sustained a life-threatening illness or injury; and

(((2) Such illness or injury prevents the employee from returning to work for at least 30 days; and

(3)))(2) The employee has already exhausted all available paid sick leave, vacation, compensatory and in-lieu time.

(c) ELIGIBILITY OF RECEIPT OF TRANSFERS OF SICK LEAVE AND/OR VACATION CREDITS. Any employee of the City and County of San

Francisco who is eligible to accumulate and use sick leave and vacation credits may receive transfers of sick leave and vacation credits pursuant to this section, if the employee has been found to meet the definition of catastrophically ill pursuant to the procedures prescribed in this section. This section only provides for receipt of such credits as are donated and does not provide for an absolute right of continued paid leave.

(d) PROCEDURE OF APPLICATION FOR CATASTROPHIC ILLNESS STATUS.

(1) An employee must complete a prescribed application form and return it to the Department of Public Health, as indicated on the form, together with supporting medical documentation. The Department of Public Health shall produce and maintain sufficient quantities of the prescribed application for employee access and distribution.

(2) The Department of Public Health or its designee shall examine the documentation supporting the application. The Department of Public Health or its designee may ask the applicant to submit further documentation and/or to submit to examination by a physician that it designates to determine in fact that the applicant does suffer from a catastrophic illness within the meaning of these rules. An employee's failure to comply with these requirements may be grounds for rejection of the application.

(3) After the Department of Public Health makes its determination, it shall notify the employee and the employee's department head, and for vacation leave transfers the employee's department head must assent to the determination.

(4) In order to continue to qualify as catastrophically ill, an employee who has been determined to be catastrophically ill may from time to time be required (i) to submit to specified examination and/or (ii) to supply further documentation of current medical

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status, as is necessary in the opinion of the Department of Public Health or its designee in order to continue to qualify as catastrophically ill; provided, however, that such request shall not be made for the purpose of harassing said employee.

(5) If an employee is determined not to be catastrophically ill, the employee shall have a right to appeal the decision through an administrative appeal process to be established by the Public Health Commission, and which shall include the right to review by the Director of the Department of Public Health and, finally, a hearing before the Public Health Commission. The Department of Public Health shall automatically provide the employee with a written letter setting for the reasons for denial and the procedure for filing an administrative appeal. The Public Health Commission shall promulgate and post the administrative appeal rules within 14 days from the effective date of this ordinance. The administrative appeal process in its entirety shall not exceed 60 days. An employee whose application has been disapproved is not obligated to exhaust the administrative appeals process before reapplying, and instead the employee may reapply after observing a 30-day wait period from the date of the initial denial.

(e) ELIGIBILITY TO TRANSFER SICK LEAVE AND/OR VACATION CREDITS. Any employee of the City and County of San Francisco who is eligible to accumulate and use vacation credits and sick leave may transfer sick leave and/or vacation credits to another employee subject to the following conditions:

(1) The transferring employee must retain a minimum sick leave balance of 64 hours;

(2) Transfers must be in units of eight hours;

(3) All transfers are irrevocable;

///

(4) The transferring employee may transfer hours once per pay period per recipient;

(5) The transferring employee may transfer a maximum of 80 hours per pay period and 480 hours per calendar year; and

(6) Neither the transferring employee nor the designated recipient may be in violation of Subsection (i).

(f) POSTING OF ELIGIBLE RECIPIENTS.

(1) The Department of Public Health shall assign an exclusive number to each catastrophically ill employee deemed eligible to receive sick leave time and/or vacation credit transfers under these rules;

(2) The Department of Public Health shall maintain, reproduce and post a running list of catastrophically ill employees, to be identified only by their special numbers, in order to let transferring employees designate a recipient;

(3) The list may include the amounts of sick leave and vacation credits already transferred or on reserve to each employee; and

(4) In all cases, the Department of Public Health and its designees shall shield and protect the true identities of catastrophically ill employees and the right of employees to confidentiality protections.

(g) RECEIPT OF TRANSFERRED SICK LEAVE AND VACATION CREDITS BY A CATASTROPHICALLY ILL EMPLOYEE.

(1) All hours transferred shall be credited as sick leave for the receiving employee. As they are used, they shall be treated as use of the employee's own sick leave for all purposes, including for continued accrual of vacation credits, sick leave, and retirement service; service for pay increments; and eligibility for holiday pay.

///

(2) At the beginning of each pay period, a catastrophically ill employee must use all sick leave and vacation credits accrued during the previous pay period before using any transferred hours.

(3) An employee who has been determined catastrophically ill may use transferred hours retroactively from the date of certification of eligibility back to the date of application.

(4) A receiving employee may use transferred credits in a pay period to the extent that when combined with other compensation from the City and County and all other benefits from public sources, the total does not exceed the pay for 100 percent of the employee's regularly scheduled hours for such pay period (excluding regularly scheduled overtime and premium pay). A receiving employee may be required to provide financial records to prove compliance with this subsection. Failure to provide such records is grounds for exclusion from eligibility to receive sick leave and vacation credit transfers pursuant to this section.

(5) The maximum number of hours that can be transferred to an employee for any single catastrophic illness is 3,120.

(h) CONFIDENTIALITY.

(1) All medical records submitted by an employee pursuant to this statute are to be kept confidential by the Department of Public Health or its designee.

(2) Until the Department of Public Health has rendered its opinion pursuant to subsection (d) that the employee is catastrophically ill, the fact of an employee's application is to be kept confidential by the parties processing the application and not shared with the employee's department head.

(3) The names of employees donating hours pursuant to this provision are to remain confidential.

///

(4) Violation of the provisions of this subsection or any other relating to confidentiality protections shall be grounds for disciplinary action.

(i) NO SELLING OR COERCION.

(1) No individual shall directly or indirectly solicit the receipt of, or accept, any compensation in full or partial exchange directly or indirectly, for sick leave or vacation credits to be transferred pursuant to this section.

(2) No individual shall solicit the receipt of, or accept, the transfer of any sick leave or vacation credits pursuant to this section in full or partial exchange, directly or indirectly, for any compensation.

(3) No individual shall threaten or in any way attempt to coerce an employee with respect to transfer of sick leave or vacation credits pursuant to this section.

(4) Violation of the provisions of this subsection shall be grounds for disciplinary action.

(j) LIMITATION. In undertaking the adoption and enforcement of this ordinance, the City and County of San Francisco is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.

(k) REVIEW.

(1) Within six months following final passage of this ordinance, a Task Force on Transfer Benefits shall be assembled to review the sick leave and vacation transfer programs, the report of the Executive Director of Employee Relations on the costs of purchasing long term disability insurance for employees of the City and County of San Francisco, this ordinance, and the performance of

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City and County departments in carrying out their Charter and statutory obligations.

(2) The Task Force shall be composed of seven members, with one member each representing the Health Commission, Civil Service Commission, and Retirement Board; two members representing employee associations; one member representing the public; and one member representing persons with catastrophic illnesses;

(3) Members of the Task Force shall be appointed by the Board of Supervisors in accordance with the composition requirements established herein; and

(4) The Task Force shall prepare a report with its findings and recommendations for improvements or modifications in the sick leave and vacation credit transfer program, and to be presented to the Board of Supervisors and Mayor within 120 days from the date of the first hearing of the Task Force.

(l) NOTICES. The Civil Service Commission shall develop notices with relevant information about the sick leave and vacation credit transfer program, including facts on how and where to apply for registry as a catastrophically ill employee, and how and where employees can contribute sick leave time and vacation credits to catastrophically ill co-workers. These notices shall be distributed to all appointing officers who shall then post them in public places where other notices advising employees of rights and benefits are posted.

(m) TERMINATION OF THIS PROVISION. Unless otherwise specified by ordinance of Charter provision, the provision of this ordinance shall expire upon the effective date of a successor ordinance or Charter section providing for transfer of sick leave and vacation credits or upon the effective date of an ordinance or Charter section instituting a long-term disability program.

(n) RETROACTIVE. The provisions of this ordinance shall be effective retroactively to the date the relevant Charter amendments were certified by the State of California.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Claude Kolm
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
January 6, 1992	§	January 13, 1992
	§	
	§	
Ayes: Supervisors Achtenberg Alioto	§	Ayes: Supervisors Achtenberg Alioto
Britt Gonzalez Hallinan Heich	§	Britt Gonzalez Hallinan Heich
Kennedy Maher Migden Shelley Ward	§	Kennedy Maher Migden Shelley Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
78-91-2

JAN 21 1992
Date Approved

Frank M. Jordan
Mayor

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FILE NO. 82-91-5.1

ORDINANCE NO. 13-92

[Grant of Easements]

AUTHORIZING THE CONVEYANCE OF TWO WATER LINE EASEMENTS TOTALLING 1.35± ACRES TO THE NORTH COAST COUNTY WATER DISTRICT OVER AND THROUGH SHARP PARK IN THE CITY OF PACIFICA.

Be It Ordained by the People of the City and County of San Francisco:

Section 1. In accordance with the recommendation of the Recreation and Park Commission, the General Manager of the Recreation and Park Department and the Director of Property, the Board of Supervisors hereby approves the conveyance of a 20' wide by 2852'± long easement and a 10' wide by 171'± long easement to the North Coast County Water District to construct a water distribution pipeline to provide water and fire protection service to the clubhouse at the Sharp Park Golf Course.

Section 2. The water line easements will be conveyed at no cost to the North Coast County Water District since the project is a substantial upgrade of the domestic and water service at Sharp Park and the Water District has agreed to waive its transmission fee and meter installation fee totalling $49,498, which sum exceeds the estimated value of the easements to be conveyed.

Section 3. The conveyance of the subject easements will not affect the City's Master Plan. The conveyance is consistent with the eight priority policies of the City's Master Plan as follows:

(1) The conveyance does not affect the City's existing neighborhood-serving retail uses;

(2) The conveyance does not affect the City's existing housing and neighborhood character;

(3) The conveyance does not affect the City's supply of affordable housing;

(4) The conveyance does not affect the City's commuter traffic;

(5) The conveyance does not affect the City's industrial base;

(6) The conveyance enhances the City's preparedness for an earthquake by providing fire protection service to the clubhouse at Sharp Park;

(7) The conveyance does not affect the City's landmarks or historic buildings;

(8) The conveyance does not affect access to sunlight and vistas of and does not constitute development of the City's open space.

Section 4. The Board of Supervisors hereby approves the conveyance as described above and authorizes the Mayor and Clerk of the Board to execute the easement deeds to the North Coast County Water District.

Recommended:

Director of Property

General Manager, Recreation & Park Dept.

(Pursuant to Rec-Park Commission Resolution No. 16002)

Approved as to Form:
Louise H. Renne, City Attorney

By: Deputy City Attorney

LB:36/739
11/13/91

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
January 6, 1992	January 13, 1992
Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisor Britt	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
92-91-5.1

JAN 21 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 96-91-4 ORDINANCE NO. 14-92

[Sale of Property]

AUTHORIZING SALE OF SURPLUS CITY-OWNED PROPERTY - $20,000.

Be It Ordained By The People of the City and County of San Francisco:

Section 1. In accordance with the recommendation of the Rec-Park Commission, Library Commission and Director of Property, the Board of Supervisors hereby declares that the public interest and necessity require the sale of 40± acres of City-owned land in Monterey County to the adjoining property owner.

Section 2. Said property is not required for municipal purposes and its sale will not affect the City's Master Plan. The sale is consistent with the eight priority policies of Planning Code Section 101.1.

Section 3. Pursuant to Section 7.401 of the City Charter, the Director of Property has retained an independent appraisal of the subject parcel. The adjoining owner has offered to purchase said parcel for $20,000, which sum represents the full value of the property. The Director of Property has determined that the subject property is landlocked with no access to a public road and is of use and value only to the adjoining property owner. Other than the purchasing adjoining owner, there is one other adjoining ownership, which has expressed in writing to the Director of Property that they have no interest in purchasing the subject parcel.

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Section 4. The offer of said adjoining owner is hereby accepted and the Mayor and Clerk of the Board of Supervisors are authorized to execute and the Director of Property deliver a deed to the adjoining owner upon receipt of the purchase price.

RECOMMENDED:

General Manager, Recreation-Park

Pursuant to Rec-Park Comm. Res. #16148

City Librarian

Pursuant to Library Comm. Res. #1558

Director of Property

APPROVED AS TO FORM:
Louise H. Renne, City Attorney

By Deputy City Attorney

1025

(Real Estate)

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
January 6, 1992	January 13, 1992
Ayes: Supervisors Achtenberg Hallinan Kennedy Maher Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisors Alioto Britt Gonzalez Hsieh	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
96-91-4

JAN 21 1992
Date Approved

Frank M. Jordan
Mayor

(Security)

AMENDING PART II, CHAPTER I OF THE SAN FRANCISCO MUNICIPAL CODE (BUILDING CODE) BY AMENDING SECTION 4104 TO EXEMPT STATE LICENSED RESIDENTIAL BOARD AND CARE HOMES FROM CERTAIN REQUIREMENTS.

Note: Additions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part II, Chapter I, of the San Francisco Municipal Code (Building Code) is hereby amended by amending Section 4104 to read as follows:

HOTEL AND MOTEL SECURITY REQUIREMENTS

Sec. 4104(a) General. Hotels and motels shall comply with the security requirements of this section. For the purpose of this section, any building open to the public and offering accommodations to transient persons for compensation shall be considered as a hotel or motel.

(b) Exterior Doors. Excluding main entry doors, all exterior swinging doors, assemblies and related hardware directly accessible from the ground level, or from roof areas, or by stairs, or ramp, or parking lot, or garage areas shall meet the requirements of Grade 20 of ANSI/ASTM F476.

All such doors shall be self-closing continuously locked((;)), and openable from the interior with no special effort or knowledge or key. Where electrically operated locks are used, they must be self-latching and locking and shall have manual release capability from the interior requiring no special effort or knowledge or key.

(c) Main Entrance. All main entry doors including electrically operated main entry door shall be provided with a primary locking device. Main entry doors shall be defined as exterior doors leading directly into the lobby, registration area or employee entrances.

(d) Entry Doors to Guest Rooms.

EXCEPTION: Residential care facilities licensed by the State of California under Title 22 of the California Code of Regulations shall not be required to comply with the requirements of this Subsection.

All entry doors, assemblies, etc. and related hardware directly accessible from the ground level or by stairs, or ramps, or parking lot, or garage area shall meet the requirements of Grade 20 of the ANSI/ASTM F476.

Locks shall be a combination of minimum 1/2 inch throw dead latch with a minimum 1 inch deadbolt.

All locks shall be capable of locking out all keys, except the emergency keys for guest privacy while inside the room, and so constructed that both deadlatch and deadbolt are retracted simultaneously by a single knob or lever.

Each door shall be provided with a minimum 135 degree viewer which does not have sighting capability when viewed from the outside. Mounting height shall not exceed 58 inches.

(e) Communicating Door Between Guest Rooms. Communicating doors between guest rooms if not required to be fire-rated shall meet the requirements of Grade 20 of ANSI/ASTM F476 and be of minimum 1-3/8-inch bonded wood core or approved equal. (See Table 41-A).

(f) Sliding Glass Doors. Sliding glass door assemblies shall be designed that the door cannot be lifted from the track

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when the door is in a locked position.

In addition to the primary locking device, all sliding glass doors shall have an auxiliary locking device permanently mounted and not accessible from the exterior of the building but easily accessible from the interior.

(g) Sliding Glass Windows. Sliding glass window assemblies shall be so designed that the moving panel cannot be lifted from the track while in a closed position.

(h) Roof Openings. All skylights leading directly to guest rooms, offices and enclosed commercial space shall be provided with burglary resistant glazing as defined in Section 4102.

(i) Message and Key Box-Front Desk. The message and room key location at the front desk shall not be visible from public view so as to determine an unoccupied room.

(j) Building Address Identification. All buildings shall display a street number in a prominent location on the street side in such a position that the number is easily visible to approaching emergency vehicles. The numerals shall be not less than 4 inches in height and shall be a contrasting color to the background.

(k) Parking Areas. Parking space numbering shall not correspond to the guest room number.

Exterior parking areas and access thereto shall be provided with a minimum of 1/2 footcandle of light on the parking surface when the area is unoccupied. Lighting devices shall be protected by weather and vandalism resistant covers.

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(l) Approval and Testing. For the purpose of this section, approval of the door assembly and security hardware shall be based upon testing per minimum Grade 20. ANSI/ASTM F476 (See Table 41-A).

APPROVED AS TO FORM:

Louise H. Renne
City Attorney

By Judith A. Bogojian
Deputy City Attorney

0721j

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
January 6, 1992	January 13, 1992
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
114-91-8

JAN 21 1992
Date Approved

Frank M. Jordan
Mayor

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FILE NO. 114-91-13 ORDINANCE NO. 16-92

(Building Permit Fees)

AMENDING PART II, CHAPTER 1 OF THE SAN FRANCISCO MUNICIPAL CODE (BUILDING CODE) BY ADDING SECTION 335 THERETO TO PROVIDE THAT THE OWNERS OF PROPERTY IN THE 1700 AND 1800 BLOCKS OF EIGHTH AVENUE SHALL BE SUBJECT TO THE BUILDING PERMIT FEE SCHEDULE IN EFFECT ON JUNE 30, 1991 WITH RESPECT TO REPAIRS OR RECONSTRUCTION OF PROPERTIES DAMAGED IN THE LOMA PRIETA EARTHQUAKE; THIS SECTION SHALL EXPIRE IN ONE YEAR FROM ITS EFFECTIVE DATE.

NOTE: This section is entirely new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The Board of Supervisors hereby finds that:

1. Thirty-six property owners in the 1700 and 1800 blocks of Eighth Avenue in the City and County of San Francisco suffered extraordinary hardship from the October, 1989 Loma Prieta Earthquake in that a major landslide behind their homes resulted in most of the homes being severely damaged or destroyed.

2. Because of the unstable condition of the hillside behind the homes, the City could not accept or process permit applications for the repair or reconstruction of the homes until the soil was stabilized.

3. The soil stabilization work on the hillside will soon be completed and the homeowners can now file their permit applications and begin the repair work on their properties.

4. The Board recently adopted a new building permit fee schedule, which became effective on July 1, 1991; these increased fees will add an additional financial burden on the Eighth Avenue property owners.

5. Because the two-year delay in filing building permit applications was due to circumstances beyond the property owners' control, the recent fee increases should not be applicable to these permits.

Section 2. Part II, Chapter 1 of the San Francisco Municipal Code (Building Code) is hereby amended by adding Section 335 thereto to read as follows:

Earthquake-Damaged Homes On Eighth Avenue

Sec. 335. (a) Applicable Fee Schedule. The building permit fee schedule in effect on June 30, 1991 shall be applicable to permit applications filed to repair or reconstruct properties in the 1700 and 1800 blocks of Eighth Avenue that were damaged or destroyed as a result of the October, 1989 Loma Prieta Earthquake.

(b) Expiration Date. This section shall expire and be of no force and effect in one year from its effective date.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

Judith A. Boggion
Deputy City Attorney

0440j

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
January 6, 1992	§	January 13, 1992
	§	
	§	
Ayes: Supervisors Achtenberg Alioto	§	Ayes: Supervisors Achtenberg Alioto
Britt Gonzalez Hallinan Hsieh	§	Britt Gonzalez Hallinan Hsieh
Kennedy Maher Migden Shelley Ward	§	Kennedy Maher Migden Shelley Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
114-91-13

JAN 21 1992
Date Approved

Frank M. Jordan
Mayor

As amended in committee
12/17/91

FILE NO. 121-91-11 ORDINANCE NO. 17-92

(Nondiscrimination in business practices)

AMENDING THE SAN FRANCISCO MUNICIPAL CODE PART II, CHAPTER VIII (POLICE CODE) BY AMENDING ARTICLE 33, SECTION 3305 THEREOF, TO PROHIBIT BUSINESS ESTABLISHMENTS FROM ENGAGING IN DISCRIMINATORY ADMISSION POLICIES BY REQUIRING ~~[illegible]~~ MORE THAN ONE VALID IDENTIFICATION DOCUMENT FOR ADMITTANCE TO BUSINESS ESTABLISHMENTS ~~TO ADOPT, POST AND UNIFORMLY APPLY THE POLICY FOR ADMITTANCE TO BUSINESS ESTABLISHMENTS~~, AND AMENDING THE SAN FRANCISCO MUNICIPAL CODE (POLICE CODE) BY AMENDING ARTICLE 15, SECTION 1027 THEREOF, TO ALLOW THE CHIEF OF POLICE TO SUSPEND THE DANCE HALL PERMIT OF A PERMITTEE WHO VIOLATES POLICE CODE SECTION 3305.

kg 12/17

Note: Additions or substitutions are indicated by underlining; deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Municipal Code Part II, Chapter VIII (Police Code) is hereby amended by amending Article 33, Section 3305 thereof, to read as follows:

SEC. 3305. BUSINESS ESTABLISHMENTS AND PUBLIC ACCOMMODATIONS. (a) Prohibited Activity. It shall be unlawful for any person to do any of the following acts wholly or partially based on race, religion, color, ancestry, age, sex, sexual orientation, disability or place of birth of a customer:

(1) To deny, directly or indirectly, any person the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of any business establishment or place of public accommodations;

(2) Except as otherwise permitted by law, to deny, directly or indirectly, any person admittance to the premises of the business establishment or place of public accommodations. ~~Except as permitted by section 3305 (a)(2)(i)~~ o business establishment or place of public accommodations requesting or requiring identification documents to demonstrate or confirm a person's proof of age may deny admittance to any person displaying one valid identification document as proof of age. For purposes of Section 3305 (a)(2) ~~and (i)(A)~~, the term "valid identification document" means a document which contains the name, date of birth and picture of the person presenting the document, and is issued by a federal, state, county or municipal government, or subdivision or agency thereof, including, but not limited to, a motor vehicle operator's license or identification card issued to a member of the Armed Forces.

kg 12/17

~~(b)(i) Any business establishment or place of public accommodations may request or require more than one valid identification document to demonstrate or confirm a person's proof of age provided it has adopted a policy prescribing the number of valid identification documents the business will require of each person seeking admittance to the business premises. The policy adopted pursuant to this subdivision shall be posted in a location clearly visible to persons seeking admittance to the business premises. The policy adopted pursuant to this subdivision shall be applied in a uniform manner.~~

kg 12/17

(3) To make, print, publish, advertise or disseminate in any way, or cause to be made, printed, published, advertised or disseminated in any way, any notice, statement or

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advertisement with respect to any business establishment or public accommodation which indicates that the full enjoyment of such establishment or accommodation will be unlawfully refused an individual.

Section 2. The San Francisco Municipal Code Part II, Chapter VIII (Police Code) is hereby amended by amending Article 15, Section 1027 thereof, to read as follows:

SEC. 1027. PENALTY. Any person who shall violate any of the provisions of Section 1023 to and including 1026 of this Chapter shall be guilty of a misdemeanor, and, upon conviction thereof, shall be subject to a fine of not less than $100 and not more than $500, or by imprisonment in the jail of the City and County for a term of not more than six months, or by both such fine and imprisonment.

In the alternative, any violation of the provisions of Sections 1023 to and including 1026 of this Chapter or Section 3305 of Article 33 of this Code by a permittee hereunder or by a person in charge of the dance hall premises shall be deemed to be disorderly and improper conduct as that term is used in Section ((35.6)) 3.537 of the Charter of the City and County of San Francisco, and the Chief of Police may, after hearing, revoke said permittee's permit pursuant to Section ((35.6)) 3.537 of said Charter; or, in lieu thereof, may, after hearing, suspend said permit for such length of time as he deems proper.

Section 3. FINDINGS.

Based on the evidence presented to this Board and to the San Francisco Police Commission on July 31, 1991, the Board of Supervisors hereby makes the following findings in support of

requiring business establishments and places of public accommodations who need to confirm the age of a customer to engage in nondiscriminatory admission policies and practices:

1. Some San Francisco based business establishments require multiple identification documents from some individuals and not others as a condition for gaining admittance to the business premises.

2. The individuals who are required to produce multiple identification documents are members of racial minority groups, including but not limited to African Americans.

3. The business establishments who require members of racial minority groups to produce multiple identification documents while not requiring the same from nonminority group members do so to deny minority group members admittance to the business establishment.

4. The business practices identified above against minority group members seeking admittance to business establishments in San Francisco constitute a form of race-based discrimination.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Mara E. Lonelo
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
January 6, 1992	January 13, 1992
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisor Ward	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
121-91-11

JAN 21 1992
Date Approved

Frank M. Jordan
Mayor

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FILE NO. 125-91-1 ORDINANCE NO. 18-92

(Security)

AMENDING PART II, CHAPTER 12 OF THE SAN FRANCISCO MUNICIPAL CODE (HOUSING CODE) BY AMENDING SECTION 706 TO EXEMPT STATE LICENSED RESIDENTIAL BOARD AND CARE HOMES FROM CERTAIN REQUIREMENTS.

NOTE: Additions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part II, Chapter 12 of the San Francisco Municipal Code (Housing Code) is hereby amended by amending Section 706 to read as follows:

SEC. 706. SECURITY; STANDARDS. (a) Hotels and Motels.

(1) Exterior Doors. All exterior swinging door assemblies and related hardware directly accessible from the ground level or by stairs, or ramps, or parking lots, or garage areas shall conform to the following:

(i) Doors shall be tight fitting, in good condition, and self closing.

(ii) Doors except those defined in Subsection (a)(2) of this Section shall be continuously locked but openable from the interior with no special effort or knowledge or key or otherwise secured in an approved manner. (Refer to Section 4104(b) of the San Francisco Building Code.)

(iii) All exposed hinges, bolts, screws, and similar fasteners holding the door in place shall be of the nonremovable type.

(iv) Replacement of any glazing in exterior doors or any area within 40 inches of the lock mechanism shall be with approved burglar-resistant glazing or laminated safety glass as defined in Section 4102, San Francisco Building Code, and shall include one-quarter-inch-thick wire glass or iron grates or grills as an acceptable substitute.

(2) Main Entrance. All main entry doors, including electrically operated doors, shall be provided with an approved primary locking device. Main entry doors shall be defined as exterior doors leading directly to the lobby or registration areas or employee entrances.

(i) Exterior lobby entrances shall have doors and related hardware in good condition.

(ii) Non-removable hardware - See Subsection (a)(1)(iii) of this Section.

(iii) Replacement glazing - See Subsection (a)(1)(iv) of this Section.

(3) Entry Doors.

EXCEPTION: Residential care facilities licensed by the State of California under Title 22 of the California Code of Regulations shall not be required to comply with the requirements of this Subsection.

(i) Entry doors to guest rooms from corridors, or accessible by stairs, or ramps, or parking lot, or garage areas shall be a minimum one-and-three-eighths-inch solid bonded wood core or approved equal, unless required by Section 17.33, Title 19, California Administrative Code to conform to retroactive highrise requirements; in which case there shall be compliance with Title 19 retroactive highrise requirements or the requirements of this Section, whichever is the more restrictive. Panels in panel type doors shall be a minimum three-eighths-inch. Interior glass panel doors to guest rooms or tenant's unit shall have a minimum one-and-three-eighths-inch wood framing and shall be reinforced with one-quarter-inch plastic glazing sheet, minimum

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three-eighths-inch plywood sheet, or laminated safety glass, installed on the exterior or interior, or an approved equal, such as one-quarter-inch-thick wire glass or iron grates or grills installed on either side of an approved door. Other glass panel doors shall only comply with the aforementioned requirements upon replacement of glazing.

(ii) New locks shall be minimum one-inch deadbolt and shall be openable from the interior with no key, special effort or knowledge.

(iii) Existing locks with minimum five-eighths-inch deadbolt openable from the interior with no key, special effort or knowledge shall be deemed to comply with the minimum standards of this Code, or a surface-mounted horizontal-throw or vertical-throw deadbolt.

(iv) All locks in transient hotel rooms shall be capable of locking out all keys, except the emergency keys, for guest privacy while inside the room.

(v) Strike plates, when attached to wood jambs, shall be secured with not less than two number eight steel screws, which will penetrate at least two inches of solid framing. Strike plates, when attached to metal jambs, shall be blind bolted, welded, riveted or by approved means.

(vi) All doors shall be provided with a minimum 135-degree viewer which does not have sighting capability when viewed from the outside. Mounting height shall not exceed 58 inches.

(vii) Secondary entry doors (rear doors, doors from secondary rooms to corridors etc.) shall require at least a deadlatch or deadbolt, or a surface-mounted horizontal-throw or vertical-throw deadbolt. Secondary doors to corridors shall meet the requirements of subsection a(3)(i) of this Section.

(4) Communicating Doors Between Guest Rooms. See Section 4104(e) of the San Francisco Building Code.

(i) Communicating doors between guest rooms if not required to be fire-rated shall be of one-and-three-eighths-inch solid, bonded, wood core, or approved equal, and shall have a lock, bolt or other device capable of securing doors in a closed position against forced entry.

(5) Sliding glass doors - See Section 4104 of the San Francisco Building Code.

(6) Sliding glass windows - See Section 4104(g) of the San Francisco Building Code.

(7) Roof Openings. Replacement of all skylights leading directly to dwelling rooms, guest rooms, utility rooms, office and enclosed commercial space shall be provided with burglary-resistant glazing as defined in Section 4102 of the San Francisco Building Code and shall include one-quarter-inch-thick wire glass or iron grates or grills as an acceptable substitute. However, if the roof is sloping at an angle of at least four in twelve, the above requirements are inapplicable.

(8) Parking Areas (Self Parking). See Section 4104(k) of the San Francisco Building Code.

(9) Building Address Identification. See Section 4104(j) of the San Francisco Building Code.

(b) Apartment Houses (Includes Condominiums).

(1) Exterior Doors. See Subsection (a)(1) of this Section.

(i) Fire rating of exterior doors - See Subsection (a)(1)(i) of this Section.

(ii) Locking of exterior doors - See Subsection (a)(1)(ii) of this Section.

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(iii) Nonremovable hardware - See Subsection (a)(1)(iii) of this Section.

(iv) Replacement glazing - See Subection (a)(1)(iv) of this Section.

(v) Strike plate - See Subsection (a)(3)(v) of this Section.

(2) Main Entrance. All exterior main entrance doors shall conform to the standards of Subsection (a)(1) of this Section for exterior doors.

(i) Exterior and main entrance door locks shall not be on any master key system.

(ii) Lighting shall be a minimum of one-half footcandle of light on the ground surface from the street to the entry door. Lighting devices shall be protected by weather-resistant and vandalism-resistant covers.

(3) Entry Doors. Entry doors to dwelling units shall be in accordance with Subsection (a)(3)(i) of this Section. Said Subsection shall also apply upon conversion of units to condominiums.

(i) Existing Locks: Same as Subsection (a)(3)(iii) of this Section.

(ii) New Locks: Same as Subsection (a)(3)(ii) of this Section.

(iii) Installation of new doors shall be with a primary locking device with minimum one-inch single-cylinder deadbolt.

(iv) All such doors, frames and jambs shall be in good condition and tightfitting.

(v) Strike plate - See Subsection (a)(3)(v) of this Section.

(vi) All exposed hinges, bolts, screws, and similar fasteners, holding the door in place if facing the exterior shall be of the nonremovable type.

(vii) Door viewer - See Subsection (a)(3)(vi) of this Section.

(viii) Secondary doors - See Subsection (a)(3)(vii) of this Section.

(4) Exit Doors. All exit doors from corridors to exit stairways and from interior stairwells and interior fire escapes and roof doors, if not required to be fire-rated, shall be a minimum of one-and-three-eighths-inch solid, bonded, wood core or approved equal. EXCEPTION: Doors leading to areas not accessible from the outside.

(i) Primary locking devices as defined in Section 4102 of the San Francisco Building Code shall be provided and have a minimum half-inch deadlatch. Locks shall be self-latching or locking and openable from the interior with no key, special effort or knowledge.

(ii) Nonremovable hardware - See Subsection (b)(3)(vi) of this Section.

(iii) Strike plate - See Subsection (a)(3)(iii) of this Section.

(5) Sliding glass doors - See Section 4105(i) of the San Francisco Building Code.

(6) Sliding glass windows - See Section 4105(j) of the San Francisco Building Code.

(7) Glazed openings into the units shall include, but not be limited to, areas accessible by permanent straight ladders from ground to fire escape balcony, inner courts and fire escapes through a public area window or door, and rear yard areas not totally enclosed with a minimum eight-foot-high barrier. "Accessible" is defined as within eight feet vertical and four feet horizontally.

(i) Replacement of glazed openings accessible from the ground level, by stairs, ramps, parking lots, or garage area, shall be with approved laminated safety glass, one-quarter-inch-thick wire

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glass, or burglar-resistant glazing as defined in Section 4102 of the San Francisco Building Code. Protective iron grillwork may only be installed where it does not interfere with the required means of egress. Moreover, when iron grillwork is or has been installed over an exterior window or other opening to a sleeping room, the grillwork over at least one opening in each sleeping room must be equipped with an approved quick-release device capable of being operated without a key or special knowledge from within the room, which device must not be accessible from the exterior even if the glass is broken.

(ii) The requirements set forth in Subsection (i) shall also apply to existing glazed openings upon conversion of units to condominiums.

(8) Roof openings - See Subsection (a)(7) of this Section. Said section shall also apply upon conversion of units to condominiums.

(9) Garage Doors. All garage doors shall conform to the following standards:

(i) Wood panel doors shall have panels a minimum of one-quarter inch in thickness.

(ii) Aluminum doors shall be of a substantial thickness riveted together along the outside seams. There shall be a full-width horizontal beam attached to the main door structure.

(iii) Fiberglass doors shall have panels of substantial density.

(iv) Steel doors shall have steel sheets of substantial thickness.

(v) Doors operated by electrical means shall be provided with manual release capability from the interior, requiring no special effort or knowledge.

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(vi) Manually operated chain-driven garage doors shall require the Superintendent's approval.

(10) Parking areas - See Section 4105(n) of the San Francisco Building Code.

(11) Building address identification - See Section 4105(o) of the San Francisco Building Code.

(12) Metal gates - See Section 4103(e) of the San Francisco Building Code.

(13) Replacement Installation. Any person or entity selling or installing glazing which is to be inserted in a glazed opening subject to this ordinance shall conform to the provisions of this ordinance. Said Section shall also apply to conversion of units to condominiums."

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By Judith A. Boyajian
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
January 6, 1992	January 13, 1992
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
125-91-1

JAN 21 1992
Date Approved

Frank M. Jordan
Mayor

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FILE NO. 123-91-3 ORDINANCE NO. 19-92

(Water Pollution Control)

AMENDING CHAPTER X (PUBLIC WORKS CODE) OF PART II OF THE SAN FRANCISCO MUNICIPAL CODE BY REPEALING THE EXISTING INDUSTRIAL WASTE DISCHARGE REGULATIONS SET FORTH IN THE PUBLIC WORKS CODE AS ARTICLE 4.1, SECTIONS 118-124; AND BY ADDING A NEW AND EXPANDED INDUSTRIAL WASTE ORDINANCE REGULATING THE DISCHARGE OF INDUSTRIAL WASTES INTO THE CITY SEWERAGE SYSTEM.

NOTE: Additions are indicated by <u>underlining</u>; deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter X of Part II of the San Francisco Municipal Code (Public Works) is hereby amended by repealing Article 4.1.

Section 2. Chapter X of Part II of the San Francisco Municipal Code (Public Works) is amended by adding Article 4.1 to read as follows:

ARTICLE 4.1

INDUSTRIAL WASTE ORDINANCE

SEC. 118. PURPOSE
SEC. 119. DEFINITIONS
SEC. 120. AUTHORITY OF THE DIRECTOR
SEC. 121. EMERGENCY ACTIONS
SEC. 122. RIGHT TO ENTER PREMISES
SEC. 123. LIMITATIONS AND PROHIBITIONS
SEC. 124. PERMIT PROVISIONS
SEC. 125. PERMIT PROCESS
SEC. 126. REGISTRATION BY WASTEWATER PRODUCERS
SEC. 127. REPORTING AND SAMPLING REQUIREMENTS
SEC. 128. VARIANCES

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SEC. 129. DIRECTOR'S HEARINGS
SEC. 130. DIRECTOR'S HEARINGS FOR RULES, REGS
SEC. 131. INDUSTRIAL WASTE REVIEW BOARD
SEC. 132. ENFORCEMENT
SEC. 133. PENALTIES
SEC. 134. SPECIAL ASSESSMENT LIENS
SEC. 135. NEWSPAPER NOTIFICATION OF VIOLATIONS
SEC. 136. DISCLOSURE OF INFORMATION
SEC. 137. RETENTION OF DISCHARGER INFORMATION
SEC. 138. SEVERABILITY

SEC. 118. <u>PURPOSE</u>.

The purpose of this Article and the City's industrial waste pretreatment program is to protect human health and the environment by preventing the Discharge of Pollutants into the Sewerage System that would: (i) obstruct or damage the system; (ii) Interfere with, inhibit or disrupt treatment facilities and processes, or the processing, use or disposal of sludge; (iii) Pass Through the sewerage system and contribute to violations of regulatory requirements imposed on the City, or; (iv) otherwise harm, or threaten to harm human health or the environment.

SEC. 119. <u>DEFINITIONS</u>. For the purpose of this Article, the following definitions shall apply:

(a) <u>Act</u>. The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251, <u>et seq</u>.

(b) <u>Approved Side Sewer</u>. A sewer constructed and maintained in accordance with applicable city laws and regulations.

(c) <u>Baseline Monitoring Report</u>. A comprehensive report submitted to the Director by certain Dischargers pursuant to Section 127. This report shall comply with the requirements of federal

regulations at 40 CFR 403.12(b)(1990), which is incorporated by reference in this Article.

(d) Bioaccumulative Toxic Substance. A toxic substance that concentrates in living organisms through direct assimilation or accumulation in the food chain, as defined in Title 22, California Code of Regulations and any amendments thereto.

(e) Biochemical Oxygen Demand (BOD) Test. The empirical bioassay-type procedure specified in federal regulations at 40 CFR Part 136 (1990) that measures the dissolved oxygen consumed by microbial life while assimilating and oxidizing the organic matter present.

(f) Categorical Pretreatment Standard or Pretreatment Standard. A regulation containing Pollutant Discharge limits promulgated by the United States Environmental Protection Agency (EPA) in accordance with Sections 307(b) and (c) of the Act.

(g) City. The City and County of San Francisco.

(h) Class I Permit. An Order issued by the Director that grants a Significant Industrial User permission to Discharge into the City's Sewerage System.

(i) Class II Permit. An Order issued by the Director that grants a Minor Discharger permission to Discharge into the City's Sewerage System.

(j) Department. Unless otherwise stated, the Department of Public Works of the City and County of San Francisco.

(k) Director. The Director of the Department of Public Works of the City, or a designated representative of the Director.

(l) Discharge. The direct or indirect introduction of Pollutants or Wastewater into the Sewerage System.

(m) Discharger. The owner of record, lessee, sublessee, mortgagee in possession, or any Person, whether located within or

outside City boundaries, that (i) Discharges or threatens to Discharge Pollutants into the Sewerage System, or (ii) is responsible for the process which directly or indirectly introduces Pollutants into the Sewerage System.

(n) Flammable or Explosive Substances. Pollutants which create a fire or explosion hazard in the Sewerage System, including, but not limited to, Pollutants with a closed cup flashpoint of less than 140 degrees Fahrenheit (60 degrees Celsius), as determined by a Pensky-Martens Closed Cup Tester, using the test method specified in ASTM standard D-93-79 or D-93-80 or a Setaflash Closed Cup Tester, using the test method specified in ASTM Standard D-3828-81.

(o) Grab sample. An individual sample of Wastewater collected over a period of time not exceeding 15 minutes, as defined in federal regulations at 40 CFR 403.7(d)(2)(iv)(1990).

(p) Hydrocarbon Oil and Grease. The empirical test for that fraction of Total Recoverable Oil and Grease that is of a petroleum nature as specified in federal regulations at 40 CFR Part 136 (1990).

(q) Industrial user. Used interchangeably with Discharger.

(r) Interference. An inhibition or disruption of the Sewerage System, treatment processes or operations, or sludge processes, including the use or disposal of sludge, which causes or threatens to cause a violation of any requirement of the City's permits to operate sewage treatment facilities as defined by state or federal laws and regulations. Violations include, but are not limited to, an increase in the magnitude or duration of a violation and the prohibition of City use or disposal of sludge.

(s) Minor Discharger. A Discharger other than a Significant Industrial User.

(t) New Source. Any Person who becomes or may become a Discharger subject to this Article under the following circumstances:

(i) the Person proposes to Discharge Wastewater into the Sewerage System or submits a Class I or Class II permit application for the proposed initial Wastewater Discharge from any location, or (ii) the Person submits a Permit application for a proposed Discharge of Trucked Waste under Section 124(d), or (iii) the Person is notified that a proposed Discharge, or a modification or addition to an existing Discharge, will be subject to Categorical Pretreatment Standards pursuant to a certification under 40 CFR 403.6 (1990), or any amendment thereto, or (iv) the Discharge results from a New Source as defined in 40 CFR 403.3(k)(1990), regardless of when a Permit application is submitted, or (v) the Discharge is determined to be subject to any New Source requirements of this Article by the Director.

(u) Ninety Day (90-Day) Compliance Report. A compliance report submitted to the Director by certain Dischargers pursuant to Section 127(d) or a Permit, notifying the Director whether compliance has been or is being achieved. For Class I permittees, this report shall comply with the requirements of federal regulations at 40 CFR 403.12(d)(1990), which are incorporated by reference in this Article.

(v) NPDES (National Pollutant Discharge Elimination System) Permit. Any permit issued to the City by the United States Environmental Protection Agency or the State of California, applicable to the City's Discharges from the Sewerage System into the Receiving Waters pursuant to Section 402 of the Act.

(w) Order. A written determination, revocation, authorization, permission, direction or document issued by the Director pursuant to this Article.

(x) Pass Through. A Discharge that enters Receiving Waters through the Sewerage System in quantities or concentrations

which alone, or in combination with a Discharge or Discharges from other sources, causes or threatens to cause a violation of the City's NPDES permits, including an increase in the magnitude or duration of a violation.

(y) Permit. Authorization issued to a Discharger by the Director pursuant to Sections 124 and 125 allowing the Discharge of Wastewater into the City's Sewerage System in accordance with all applicable laws and regulations.

(z) Person. An individual, firm, partnership, joint venture, association, social club, fraternal organization, joint stock company, corporation, estate, trust, business trust, receiver, trustee, syndicate, any group or a combination acting as a unit, the United States of America, the State of California and any political subdivision of either thereof, or any public entity organized pursuant to the laws of the United States of America or the State of California.

(aa) Pollutant. The term Pollutant means dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, any substances listed in Section 123(a), (b), (c) or (e) of this Article, and industrial, municipal, or agricultural waste, which is or may be introduced into the City's Sewerage System.

(bb) Properly Ground Garbage. The wastes from the preparation, cooking, and dispensing of food which has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in the Sewerage System.

(cc) Quarterly Reports. Reports submitted by a Class I Permit holder to the Director as provided in EPA regulations at 40 CFR 403.12(e)(1990), which are incorporated by reference in this Article.

(dd) Receiving waters. The waters contiguous to the City, including, but not limited to, Central Basin, China Basin, India Basin, Islais Creek Channel, the Pacific Ocean, San Francisco Bay, South Basin, and South Bay.

(ee) Sewerage System. All public facilities for collecting, transporting, treating and disposing of stormwater and Pollutants in Wastewater. The Sewerage System includes facilities owned and operated by public entities other than the City, where such facilities direct Wastewater into the Sewerage System and are subject to the jurisdiction of the City as defined by law, contract, or interjurisdictional agreement.

(ff) Sewer Service Charge. The charge assessed for collecting, transporting, treating and disposing of wastewater in accordance with this Article, Articles 4.2 and 4.3 of the Public Works Code, as amended from time to time, and annual rate resolutions adopted by the Board of Supervisors.

(gg) Significant Industrial User. A Person that is:

1. Subject to Categorical Pretreatment Standards, or
2. Discharges 25,000 gallons per day or more of Wastewater, excluding sanitary, noncontact cooling and boiler blowdown Wastewater, or
3. Discharges Wastewater that constitutes 5 percent or more of the average dry weather hydraulic or organic (BOD, TSS) capacity of the tributary water pollution control plant, or
4. Discharges a wastestream that, in the opinion of the Director, will or may adversely affect the Sewerage System by causing Interference, Pass Through of Pollutants, sludge contamination, or endangerment of City workers.

(hh) Significant Noncompliance. For purposes of Section 135 of this Article, a Discharger is in Significant Noncompliance if its violation meets one or more of the following criteria:

1. Chronic violations of Wastewater Discharge limits; defined here as those in which sixty-six percent or more of all of the measurements taken during a six-month period exceed (by any magnitude) the daily maximum limit or the average limit for the same Pollutant parameter;
2. Technical review criteria (TRC) violations; defined here as those in which thirty-three percent or more of all of the measurements taken during a six-month period equal or exceed the product of the daily average maximum limit or the average limit times the applicable TRC (TRC=1.4 for BOD, TSS, fats, oil and grease, and 1.2 for all other Pollutants except pH);
3. Any other violation of a Discharge limitation that the Director believes has caused, alone or in combination with other Discharges, Interference or Pass Through (including endangering the health of Department personnel or the general public);
4. Any Discharge of a Pollutant that may cause imminent endangerment to human health, welfare or to the environment and has resulted in the Director's exercise of his or her emergency authority to halt or prevent such a Discharge;
5. Violation, by ninety days or more after the schedule date, of a compliance schedule milestone contained in any Permit or Order issued by the Director, for

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starting construction, completing construction, or attaining final compliance;

6. Failure to provide required reports such as Baseline Monitoring Reports, 90-day Compliance Reports, Quarterly Monitoring Reports, Compliance Schedule Progress Reports, and any other reports required by the Director within thirty days of the due date;
7. Failure to accurately report noncompliance; or
8. Any other violations or group of violations which the Director determines will adversely affect the operation of the Sewerage System or implementation of this Article.

(ii) Sludge or Sewage Sludge. A liquid, semi-solid or solid residue that contains material removed during the treatment of Wastewater Discharged from domestic and nondomestic sources.

(jj) Soluble Threshold Limit Concentration (STLC). The concentration of a solubilized and extractable bioaccumulative or persistent toxic substance which, if equaled or exceeded in a waste, renders the waste hazardous as defined in Title 22 California Code of Regulations and its amendments.

(kk) Total Recoverable Oil and Grease. The empirical test for oil and grease, whether petroleum based or otherwise, as defined by EPA analytical methodology provided in federal regulations at 40 CFR Part 136 (1990).

(ll) Total Suspended Solids (TSS) Test. The empirical test for total suspended solids (or non-filterable residue), specified in federal regulations at 40 CFR Part 136 (1990) that defines those solids that are retained by a glass filter and dried to constant weight at 103-105°C.

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(mm) Trucked Waste Discharger. Persons who Discharge Wastewater into the Sewerage System by truck hauling, rail access, a dedicated pipeline, or any means other than an Approved Side Sewer.

(nn) Wastewater. Water containing Pollutants, including sanitary waste and stormwater, which is or may be Discharged into the Sewerage System by any Person subject to this Article.

SEC. 120. AUTHORITY OF THE DIRECTOR.

(a) The Director is authorized to administer and enforce the provisions of this Article; to conduct an industrial waste pretreatment program; to issue Permits containing Discharge requirements, indemnification and surety provisions and other conditions; to deny or revoke any Permits, Orders or Variances issued pursuant to this Article; to promulgate local limitations imposing specific Discharge requirements; to enforce the provisions of this Article by any lawful means available for such purpose; to monitor and inspect any Wastewater Discharger; to require Dischargers to perform and submit for the Director's review and approval wastestream and process environmental audits and to require Dischargers to implement any objectives, including reclamation and waste minimization objectives, identified by the audits; and to promulgate such orders, rules and regulations necessary to accomplish the purposes of this Article in accordance with the requirements that have been or may be promulgated by federal or state legislatures, the Environmental Protection Agency, the State Water Resources Control Board, the Regional Water Quality Control Board for the San Francisco Bay Region or other authorized agencies.

(b) The Director is authorized to require the construction and use of pretreatment systems or devices to treat Wastewater prior to Discharge to the Sewerage System when necessary to restrict or prevent the Discharge of Wastewater in violation of the Categorical

Pretreatment Standards or exceeding the limits established by this Article, or to distribute Wastewater Discharges over a period of time. The Director may require any Discharger to develop a compliance schedule containing dates for the commencement and completion of major events leading to the construction and operation of pretreatment systems or devices necessary for compliance with the provisions of this Article in the shortest time possible. No compliance schedule shall allow more than nine (9) months between any two major event dates. All proposed pretreatment systems or devices shall be subject to the review and comment of the Director, but such review shall not relieve a Discharger of the responsibility for taking all steps necessary to comply with all applicable Wastewater Discharge limitations and standards pursuant to this Article and other laws. All required pretreatment systems or devices shall be installed, operated and maintained at the Discharger's expense.

(c) The Director may, by Permit or Order, require a Discharger to construct, in accordance with current City standards and at the Discharger's expense, a monitoring facility in each side sewer in the street or sidewalk area, or in areas further upstream on the Discharger's property, for Wastewater monitoring purposes. The construction shall be completed within the time set forth in the Permit or Order.

(d) Any Permit may be revoked, modified or suspended by the Director, in addition to other remedies provided by law, when such action is necessary to stop a Discharge or a threatened Discharge that may present a hazard to the public health, safety, welfare, natural environment, or Sewerage System, to prevent or stop violations of this Article, or to implement programs or policies

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required or requested of the City by appropriate state or federal regulatory agencies.

SEC. 121. EMERGENCY ACTIONS.

The Director is authorized to take all necessary actions to immediately and effectively halt or prevent any Discharge or threatened Discharge of Pollutants to the Sewerage System that may be an imminent endangerment to the health or welfare of Persons or to the environment, or that Interferes or threatens to Interfere with the operations of the Sewerage System. The Discharger shall immediately cease undertaking such action or Discharge of any Wastewater presenting such a hazard upon verbal or written notification by the Director.

SEC. 122. RIGHT TO ENTER PREMISES.

(a) Upon showing of proper credentials, Persons authorized by the Director, when necessary for the performance of their duties, shall have the right to enter the Discharger's premises. Such authorized personnel may have access to any facilities and records necessary for determining compliance, including, but not limited to, the ability to copy any records, inspect any monitoring equipment, and sample any Wastewater subject to regulation under this Article. Notwithstanding any provision of law, Persons authorized by the Director may enter a Discharger's premises at any time if the Director determines that an imminent hazard to persons or property exists on or as a result of activities conducted on the Discharger's premises.

(b) The Director may inspect the process areas of an Discharger, inspect chemical and waste storage areas, inspect, sample and monitor Wastewater production activities.

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SEC. 123. LIMITATIONS AND PROHIBITIONS.

(a) Any grab sample of the Discharger's Wastewater shall not at any time exceed any of the following numerical limitations:

POLLUTANT PARAMETER	LIMITS
(1) pH	6.0 min; 9.5 max
(2) Dissolved Sulfides	0.5 mg/l
(3) Temperature (except where higher temperatures are required by law)	125°F (52° C)
(4) Hydrocarbon Oil And Grease	100 mg/l

(b) Any composite sample representative of the total Discharge of the Wastewater Discharge generated over a production week shall not exceed the following numerical limitation:

POLLUTANT PARAMETER	LIMIT
Total Recoverable Oil and Grease	300mg/l

Representative composite Total Recoverable Oil and Grease samples shall be composited by grab sampling, as required in federal regulations at 40 CFR Part 403 (1990), which are incorporated by reference in this Article.

(c) In addition to the provisions of this Article, all Dischargers must comply with all requirements set forth in federal Categorical Pretreatment Standards and other applicable federal regulatory standards, applicable state orders and water quality control regulations, sewage discharge permits and orders issued to the City by federal and state agencies, federal and state pretreatment program approval conditions, local Discharge limitations and regulations promulgated by the Director and the City, and any other applicable requirement regulating the Discharge of Wastewater into the Sewerage System. The Director is authorized to develop and enforce such local limitations as he or she deems necessary for the City's compliance with state and federal laws and requirements and the enforcement of this Article.

(d) Discharge of Wastewater containing radioactive materials is permitted only if the following conditions are satisfied:

(1) The Discharger obtains a Permit from the Director for the discharge of radioactive materials.

(2) The Discharger is authorized to use radioactive materials by the Nuclear Regulatory Commission or other governmental agency empowered to regulate the use of radioactive materials; and

(3) The radioactive material is Discharged in strict conformity with all Nuclear Regulatory Commission or other governmental agency requirements.

(e) No person shall Discharge, deposit, throw, cause, allow or permit to be Discharged, deposited or thrown into the City's Sewerage System any substance of any kind whatever, including oxygen demanding Pollutants, that may or will in any manner cause Interference or Pass Through, obstruct or damage the Sewerage System, cause a nuisance, interfere with the proper operation, repair or maintenance of the Sewerage System, interfere with the proper operation, repair or maintenance of a reclaimed water production or distribution facility, create difficulty for any workers to repair or maintain any part of the Sewerage System, or directly or indirectly cause a violation of the City's federal or state sewage discharge permits or any other requirement applicable to the City. Such substances include, but are not limited to the following:

(1) Ashes, cinders, sand, gravel, dirt, bark, leaves, grass cuttings and straw, metals, glass, ceramics and plastics, or any other solid or viscous substance capable of causing obstruction to the flow in sewers, or that will not be carried freely under the flow

conditions normally prevailing in the City's Sewerage System;

(2) Any Flammable or Explosive Substances;

(3) Garbage, excepting Properly Ground Garbage Discharged in accordance with this Article, from dwellings and restaurants or other establishments engaged in the preparation of foods and beverages;

(4) Any toxic, hazardous, noxious or malodorous substance that either singly or by interaction with other wastes may or will prevent maintenance of the Sewerage System or create a nuisance or hazard to the safety of the public or City employees.

(5) Any Bioaccumulative Toxic Substance that exceeds the Soluble Threshold Limit Concentration (STLC).

(6) Any Wastewater, in temperature or quantity, which will cause the temperature of influent to exceed 104°F (40°C) at the point of introduction to any City Wastewater treatment plant.

(7) Any liquids, solids or gases or any Discharge that may cause damage or harm to any reclaimed water facility, or that may limit or prevent any use of reclaimed water authorized by Title 22 of the California Code of Regulations.

(f) No Person shall Discharge without a Permit any Pollutants, except stormwater, directly or indirectly into a manhole, catch basin, or other opening in the Sewerage System other than an Approved Side Sewer.

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(g) No Discharger shall increase the use of process water or, in any other way, attempt to dilute a Discharge as a partial or complete substitute for adequate treatment to achieve compliance with the requirements of this Article.

(h) No Person shall Discharge groundwater or water from sumps or dewatering facilities into the Sewerage System without a Permit. An application for a Permit pursuant to this subsection shall be submitted to the Director no later than 45 days prior to the proposed commencement of the Discharge. Each Permit for groundwater Discharge shall contain appropriate Discharge standards and any other appropriate requirements that must be achieved before Discharge into the Sewerage System may commence. Such Discharges shall be subject to payment of sewer service charges in accordance with the provisions of applicable City laws. The Director may require the Discharger to install and maintain meters at the Discharger's expense to measure the volume of the Discharge.

(i) No Person shall Discharge Wastewater associated with groundwater cleanup or remediation plans without first obtaining a Permit. An application for a Permit pursuant to this subsection shall be submitted to the Director no later than 45 days prior to the proposed commencement of the Discharge. A Permit may be issued only if an effective pretreatment system on the process stream is maintained and operated. Each Permit for such Discharge shall contain appropriate Discharge standards based on this Article and reports or data provided by the Discharger, as well as any other appropriate requirements that must be achieved at the time the Discharge commences. Such Discharges shall be subject to payment of sewer service charges in accordance with the provisions of applicable City laws. The Director may require the Discharger to install and maintain meters at the Discharger's expense to measure

the volume of the Discharge. The Director may require that such Dischargers shall indemnify and hold harmless the City from any and all costs, claims, damages, fines, remediation costs, losses and other expenses arising from the Discharge into the Sewerage System.

(j) The Discharge of Wastewater associated with asbestos abatement operationa is authorized without a Permit, provided that the Wastewater has been pretreated through a system that provides for removal of waterborne asbestoa.

SEC. 124. PERMIT PROVISIONS.

(a) It shall be unlawful for any Significant Industrial User to Discharge or cause to be Discharged any Wastewater whatsoever, directly or indirectly, into the Sewerage System without first obtaining a Class I permit authorizing the Diacharge. The Director may require Minor Dischargers to obtain Class II Permits containing specified requirementa whenever necessary to further the objectives of thia Article. It shall be unlawful for any Discharger to Discharge any Wastewater in excess of Permit requirements or to violate any other requirement of this Article.

(b) Permits for Wastewater Discharges may include, but are not limited to, conditions and terms requiring pretreatment of Wastewater before Diacharge; limiting Discharge of certain Wastewater parameters; restricting peak flow Discharges; requiring standards of performance on the Wastewater quality; restricting Discharge to certain hours of the day; requiring payment of additional charges to defray increased costs to the City created by the Waatewater Diacharge; requiring sampling and monitoring before and during Diacharge; requiring specific inveatigations or studies to determine methods of reducing toxic conatituenta in Diacharges; and other conditions and terms necessary to achieve the objectives

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of this Article. Permits shall be issued for a fixed time period not to exceed five years.

(c) Each Permit shall include requirements that the Discharger shall reimburse the City for extraordinary costs, in addition to the applicable sewer service charge, for treatment, pumping, maintenance of the Sewerage System, administration, incidental expensea, inspection and monitoring, and payment of penalties imposed on the City by enforcement agencies caused by the specific characteristics of the Discharge into the Sewerage Syatem. When the Discharge of Wastewater or any Pollutant causes an obstruction, damage or other impairment to the Sewerage System, the Discharger shall pay to the City an amount equal to the costs of cleaning and repairing the Sewerage System, plus all related administrative costs, penalties and other incidental fees and expenses. Permits for Discharges shall not be renewed unless all such costs have been paid to the City.

(d) The Discharge of Wastewater into the Sewerage System through means other than an Approved Side Sewer is prohibited, unlesa authorized by a Permit. This subsection does not apply to groundwater discharges authorized in accordance with Section 123(h) of this Article. Trucked Waste Diachargers shall obtain a Permit from the Director prior to commencing any Discharge. The Director shall prescribe requirements consistent with this Article and any other applicable laws and regulations, including but not limited to requirements to pay appropriate Permit fees and charges. Permits shall not be granted to Trucked Waste Dischargera that do not have San Francisco business licenses or are Diacharging Waatewater produced, treated, or stored in facilities not located within the Director's juriadiction unleas the Trucked Waste Diacharger entera into a binding contractual commitment to be subject to and comply

with the requirements of this Article and the exercise of the Director's authority granted by this Article. The Director may require any Person subject to this subsection:

(1) To treat Wastewater on its own site prior to Discharge into the Sewerage System, whether the Discharge is through an Approved Side Sewer or by any other means approved by the Director;

(2) To construct a side sewer in accordance with Department specifications and cease the Discharge of Wastewater in any manner other than through the Approved Side Sewer;

(3) To provide the Director with a compliance schedule, as specified in Section 120(b), for meeting the provisions of this Article.

(4) To perform and submit for the Director's review and approval wastestream and process environmental audits and to implement any objectives, including reclamation and waste minimization objectives, identified by the audits.

SEC. 125. PERMIT PROCESS.

(a) Persons Discharging Wastewater into the Sewerage System prior to the effective date of this amendment to this Article shall submit an application for a Permit when notified by the Director. Except as provided in Sections 123(h), (i) and (j), a New Source must submit an application at least 90 days prior to commencement of the Discharge.

(b) Applicants for either a Permit, a Permit modification, or a Permit renewal shall complete and submit an application for each point of Discharge. The Director, at his or her discretion, may require submission of information on the characteristics of the

Discharge in addition to information provided in the application. The completed application shall be submitted by the Discharger not less than 90 days prior to the commencement of the Discharge or the modified Discharge, or in the case of a Permit renewal, 90 days prior to the expiration date of an existing Permit. The application shall contain the certification required by Section 127(f) of this Article and shall be signed by an authorized representative of the Discharger in accordance with Section 127(g) of this Article. No Person shall commence Discharge prior to issuance of the Permit.

(c) No Permit may be issued unless the applicant has complied with all requirements of this Article and all applicable City, state and federal laws; the applicant has furnished all requested information; the Director determines that there are adequate devices, equipment, chemicals, and other facilities to sample, meter, convey, treat, and dispose of Wastewater; and the Persons responsible for treatment and control are adequately trained and capable of consistently meeting Permit requirements. The Director shall take final action on Permit denial, issuance, modification, or renewal by sending a copy of the Permit to the applicant by certified mail.

(d) The Director shall post a Notice of Permit issuance, denial, renewal or modification at City Hall, or by publication in a newspaper of general circulation. The Notice shall include a summary of the Director's action on the Permit, and instructions for filing a public hearing request. The Director's action shall be final 15 days after the Director's posting or publication of the Notice of Permit action, or within the time specified in the Notice, unless a public hearing request has been filed in accordance with Section 125(e).

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(e) Any Person who deems that his or her interests or property or that the general public interest will be adversely affected by the Director's denial, issuance, modification, or renewal of a Permit may request a public hearing within 15 days of the Director's posting or publication of a Notice of Permit action, or within the time specified in the Notice. Upon receipt of a timely request for a public hearing, the Director shall hold a public hearing after giving the Notice provided in Section 129(b).

SEC. 126. REGISTRATION BY WASTEWATER PRODUCERS.

(a) Every Person within the Director's jurisdiction who engages in any activity or process that collects or produces Wastewater and does not Discharge such Wastewater into the Sewerage System through an Approved Side Sewer shall register its activities with the Director. The Director shall require each registrant to provide information describing the Wastewater producing activity, the nature and characteristics of the Wastewater, and the ultimate use or methods of disposal of the Wastewater. Registration must be renewed annually.

(b) The Director may take samples, inspect and monitor any activity or process subject to this section, and may require that the collector or producer of Wastewater provide monitoring and sampling information.

SEC. 127. REPORTING AND SAMPLING REQUIREMENTS.

(a) All Dischargers shall submit periodic reports to the Director, and the Director may require any reports or information appropriate for the nature of any Discharge, on a case by case basis. Specific reporting requirements shall be specified in the Permit, or in compliance directives and Orders. Failure to submit complete and accurate reports by the date specified in an Order or Permit is a violation of this Article.

(b) Dischargers holding Class I Permits shall submit periodic reports of compliance on a quarterly basis ("Quarterly Reports"), as specified in the Permit. These reports shall include a description of any violations of this Article, remedial measures undertaken by the Discharger, process changes, treatment system alterations, and any other information required by the Permit. Class I permittees subject to Categorical Pretreatment Standards shall include the information required by 40 CFR 403.12(e)(1990) in each Quarterly Report.

(c) Any New Source Discharger that must comply with Categorical Pretreatment Standards shall submit a Baseline Monitoring Report at least 90 days prior to commencement of any Discharge. Any Discharger that becomes subject to Categorical Pretreatment Standards due to promulgation of a new Standard, or pursuant to a certification under 40 CFR 403.6(a)(4)(1990), shall submit a Baseline Monitoring Report within 180 days of the effective compliance date. Every Discharger subject to a Class I Permit shall submit an amended Baseline Monitoring Report whenever the volume or characteristics of its Discharge significantly changes, or when required by the Director.

(d) Dischargers subject to Class I Permits shall submit a Ninety Day Compliance Report within 90 days of the compliance date of an applicable Categorical Pretreatment Standard, or, for New Sources, within 90 days following commencement of the Discharge.

(e) Dischargers subject to a compliance schedule for the construction or operation of pretreatment systems or devices required to meet Categorical Pretreatment Standards shall submit compliance schedule progress reports no later than fourteen (14) days after each major event date and the final compliance date. All other Dischargers subject to compliance schedules shall submit

compliance schedule progress reports as Ordered by the Director. Each progress report shall state whether or not the Discharger has complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment of progress, the reason for delay, and any steps being taken to return to the established compliance schedule. The Director may require such additional information as necessary in any compliance schedule progress report, and may extend the date for submittal, provided that no more than nine (9) months may elapse between any two progress reports.

(f) Every Person signing any report required by Paragraphs (a), (b), (c), (d), (e), or (i) of this Section shall make the following certification:

> I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

(g) All reports must be signed by an authorized representative of the Discharger. An authorized representative may be:

(1) A principal executive officer or official, if the Discharger submitting the reports required by this section is a corporation or public agency.

(2) A general partner or proprietor if the Discharger submitting the report required by this section is a partnership or sole proprietorship respectively.

(3) A duly authorized representative of the individual designated in subparagraph (1) and (2) of this paragraph if such representative is responsible for the overall operation of the facility from which the Discharger originates.

(h) Dischargers shall notify the Director prior to any substantial change in the volume or character of Pollutants in any Wastewater Discharge and shall apply for and obtain an amended Permit prior to commencement of such altered Discharge.

(i) Dischargers shall immediately notify the Director of any Discharge or threatened Discharge of Pollutants, including but not limited to oxygen demanding Pollutants, wastes or hazardous wastes as defined in Title 22 of the California Code of Regulations, or any other substances on the Discharger's premises, that: (i) could cause danger to the public; (ii) may cause Interference in the Sewerage System; or (iii) constitutes a violation of the requirements of this Article or a Permit or Order issued by the Director. A written report to the Director shall be submitted within 5 working days after the Discharge commenced explaining the nature, volume and duration of the noncompliance or release and all remedial and preventive measures taken by the Discharger. Such notification and report shall not relieve any Discharger of liability for any expenses, including but not limited to, costs for countermeasures, loss or damage to the Sewerage System, liability for fines imposed upon the City because of such occurrences, liability for any fines or damages because of such occurrences, or for any damages incurred by a third party.

(j) All Dischargers that are required to monitor their Discharges shall sample in accordance with the sampling planning, methodology and equipment, and the sample processing, documentation and custody procedures specified in Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, SW-846, 3rd edition, U.S. Environmental Protection Agency, November 1986, and any amendments thereto. The analysis of samples shall be performed in accordance with the techniques prescribed in federal regulations at 40 CFR Part 136 (1990), and amendments thereto, which are incorporated by reference in this Article.

(k) Each municipality, sanitation district or local governmental entity located outside the boundaries of the City and County of San Francisco that, pursuant to contract or law, delivers Wastewater to the City's Sewerage System for treatment and disposal shall immediately notify the Director of its approval or the creation of a New Source located within its juriadiction. Each such governmental entity also shall notify each New Source that its proposed Discharge must comply with the provisions of this Article and other applicable laws.

SEC. 128. VARIANCES.

The Director shall hear and make determinations regarding applications submitted by Dischargers for variances from the strict application of the requirements of this Article. Variance determinations shall be issued as specified in Section 129. The Director may grant variances only when such action is consistent with this Article's general purpose and intent and the general and specific rules contained in this Article. A variance shall not be granted unless the Director finds that the applicant is or will be in violation of this Article, and that due to circumstances beyond the reaaonable control of the applicant, requiring compliance would

result in unavoidable and excessive hardship. Practical difficulties associated with treatment systems or the expense of appropriate treatment shall not, standing alone, constitute circumstances beyond the reasonable control of the applicant. The Director shall not grant variances from applicable federal or state discharge standards. This subsection shall in no way limit the powers and authority of the Director pursuant to this Article. A pending variance application shall not be a defense to any enforcement action of the Director, or to any civil or criminal action under this Article.

SEC. 129. DIRECTOR'S HEARINGS.

(a) The Director shall hold a public hearing for the following purposes:

(1) To grant or deny a variance application submitted pursuant to Section 128.

(2) To issue an Order that imposes an administrative civil penalty pursuant to Sections 132(c) and 133(c) of this Article.

(3) To issue an Order pursuant to Section 132 of thia Article that revokes or suspends a Permit.

(4) To take public comment on a Permit application under Section 125, upon timely and proper request by a Person authorized pursuant to Section 125(e).

(b) Notices of public hearings pursuant to this Section shall be given by publication in a newspaper of general circulation in the City for at least two days and not less than 10 days prior to the date of such hearing. Written notice setting forth the date of a public hearing shall be sent to interested Persons by certified mail at least 10 days in advance of auch hearing. The notice ahall atate the nature and purpose of the public hearing.

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(c) At the conclusion of a public hearing, the Director may take any action consistent with this Article and other applicable law. The Director's decision shall be in writing, and shall contain a statement of reasons in support of the decision. Following a public hearing, the decision of the Director shall be sent by certified mail to the Discharger and any other interested Person. The Director's action shall be final unless an appeal, if provided by this Article, is filed in accordance with Section 131.

(d) Within thirty (30) days after service of a copy of a final Order issued after a public hearing required by subsection (a) of this section, any Person so served may file with the superior court a petition for writ of mandate for review of the Order. Any Person who fails to file the petition within this thirty (30) day period may not challenge the reasonableness or validity of an Order of the Director in any judicial proceedings brought to enforce the Order or for other remedies. Except as otherwise provided in this section, Section 1094.5 of the California Code of Civil Procedure shall govern any proceedings conducted pursuant to this subsection. In all proceedings pursuant to this section, the court shall uphold the Order of the Director if the Order is based upon substantial evidence in the whole record. The filing of a petition for writ of mandate shall not stay any accrual of any penalties assessed pursuant to this article.

SEC. 130. DIRECTOR'S HEARINGS FOR RULES AND REGULATIONS.

(a) Before the Director approves the issuance or amendment of any rule or regulation, the Director shall provide a thirty (30) day public comment period by providing published notice in an official newspaper of general circulation in the City and County of San Francisco of the intent to issue or amend the rule or regulation.

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The notice shall state the date, time and place of a public hearing at which the Director will take public comment on the proposed rule or regulation.

(b) At the conclusion of the public hearing, the Director may take any action consistent with this Article and other applicable law.

(c) Subject to the requirements of this Section, the Director is authorized to:

(1) Adopt or amend concentrations of Wastewater constituents for the purpose of assessing sewer service charges for any Discharger not required to sample and analyze its Wastewater.

(2) Adopt or amend any local Discharge limitations, rules or regulations required by law or deemed necessary by the Director to achieve the purposes of this Article.

SEC. 131. INDUSTRIAL WASTE REVIEW BOARD.

(a) Membership. There is hereby continued an Industrial Waste Review Board which shall consist of five members who have had not less than five years of professional experience related to water pollution abatement. Members of the Board will serve on call on a per diem basis. The Chief Administrative Officer shall make succeeding four-year appointments at the expiration of the existing appointments. The members so chosen will be the voting members of the Board. The Manager of the Bureau of Water Pollution Control, or a designated representative, shall be an ex-officio member of the Board, participating in the deliberations of the Board without vote or compensation. The Director shall appoint a member of his or her staff to act as secretary of the Board.

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(b) Compensation. The voting members of the Board shall receive compensation of $30.00 per hour during the time that the Board is convened.

(c) Quorum. Three voting members of the Board shall constitute a quorum. Any decision of the Board shall require three concurring votes.

(d) Powers of the Board. The Board shall hear and decide appeals from the Director's denial, issuance, renewal or modification of a Permit pursuant to Section 125, and from the Director's decision on a variance pursuant to Section 128. The Board shall not have jurisdiction to hear appeals of Orders issued pursuant to Sections 121 or 132. Upon hearing an appeal taken pursuant to this Section, the Board may, subject to the same limitations that are placed upon the Director by this Article, approve, disapprove or modify the decision appealed from, in conformity with the following requirements:

(1) In the case of a variance application, the Board shall specify in its findings, as part of a written decision, facts sufficient to establish why the application meets or does not meet, as the case may be, the requirements set forth in Section 128, and if the requirements are deemed to be met, the Board shall prescribe the details and conditions of the variance.

(2) In the case of any Permit denial, issuance, modification or renewal, if the determination of the Board differs from that of the Director, it shall state in writing any specific error or errors in interpretation of the provisions of this Article, abuse of discretion on the part of the Director, or

any other basis for revision. The Board shall specify in its written findings the facts relied upon in arriving at its determination.

(e) Appeal.

(1) Filing an Appeal. Appeals shall be filed with the secretary of the Board within 15 days after receipt of the decision of the Director under Section 129. The Board shall not have jurisdiction to hear an appeal filed after the 15-day period has passed. The Board shall not have jurisdiction to hear an appeal of the denial, issuance, renewal, or modification of a Permit if a Director's hearing was not requested in accordance with Section 125. A filing fee of $350 made payable to the Director shall accompany the filing of an appeal.

(2) Standing. Any Person that presented evidence or testimony at a Director's hearing on a variance may appeal the Director's variance decision to the Board. Appeals of the Director's decision on a Permit may only be filed by Persons authorized pursuant to Section 125(e).

(3) Contents of Appeal. The appeal must specifically set forth the alleged error, abuse of discretion or any other basis for the appeal and contain relevant arguments and documentation in support of the appellant's claims.

(4) Hearing. The procedure and requirements for the transmittal of the record, notice of hearing, and the record in connection with any appeal under this section shall be prescribed by the Board.

(f) Hearing Procedure. Hearings by the Board shall be held at the call of the secretary of the Board and at such times as the Board may determine. Hearings shall be conducted in accordance with the following procedure:

(1) The date of the hearing shall not be less than one week nor more than four weeks after receipt of filing the appeal by the secretary of the Board.

(2) The Director will present evidence and a recommendation for resolution. The Board shall hear evidence from the appellant, but appellant may present relevant information not previously submitted to the Director only if its failure to present such information to the Director was caused by events beyond its control or the Board determines that introduction of such information is essential to fair resolution of the controversy.

(3) The Board shall make a final decision within 90 days from the date of filing the appeal, and shall communicate its decision to the Director, all appellants, and the Discharger. No response from the Board within 90 days will constitute approval of the Director's final decision.

(4) The Director shall designate a certified court reporter as official reporter of the Board. The reporter shall attend all hearings of the Board and report all testimony, the objections made, and the ruling of the Board. The fees for the reporter for reporting all of the proceedings and testimony as outlined above shall be a legal charge against the City. The fees for transcripts of the proceedings

shall be at the expense of the party requesting the transcript as prescribed by Government Code Section 69950, and the original transcript shall be filed with the Secretary at the expense of the party ordering the transcript.

SEC. 132. ENFORCEMENT.

(a) Cease and Desist Orders.

Whenever the Director finds that a Discharge of Wastewater is taking place or threatening to take place in violation of any requirement imposed pursuant to this Article, or pursuant to any Order, regulation, or Permit issued by the Director, the Director may issue an Order directing the Discharger to cease and desist such Discharges and directing the Discharger to achieve compliance in accordance with a detailed time schedule of specific actions the Discharger must take in order to correct or prevent violations of this Article. The Director may Order the revocation or suspension of any Permit or variance. Any Order issued by the Director under this Section may require the Discharger to provide such information as the Director deems necessary to explain the nature of the Discharge. The Director may require in any cease and desist order that the Discharger pay to the City the costs of any extraordinary inspection or monitoring deemed necessary by the Director because of the violation.

(b) Cleanup and Abatement Orders.

(1) Any Person who has Discharged or Discharges Pollutants or Wastewater in violation of this Article or any Order, regulation, or prohibition issued by the Director, shall upon order of the Director and at the Discharger's expense clean up such Wastewater and abate the effects of the unlawful Discharge.

(2) The Director may perform any cleanup, abatement, or remedial work required under subdivision (1) when required by the magnitude of the violation or when necessary to prevent pollution, nuisance, or injury to the environment. Such action may be taken in default of, or in addition to, remedial work by the Discharger or other Persons, regardless of whether injunctive relief is being sought.

(3) Any Discharger who has violated or is in violation of the requirements of this Article shall be liable to the City for costs incurred in abating the effects thereof, or taking other remedial action, including but not limited to administrative costs, inspection costs, attorneys fees, and penalties or other liability imposed upon the City by other agencies.

(c) Administrative Civil Penalty Orders.

(1) The Director may issue a complaint to any Discharger on whom an administrative civil penalty may be imposed pursuant to Section 133(c). The complaint shall allege the acts or failures to act that constitute a basis for liability and the amount of the proposed administrative civil penalty. The Director shall serve the complaint by personal service or certified mail and shall inform the Discharger so served that a hearing shall be conducted in accordance with Section 129 of this Article, unless the Discharger waives the right to a hearing. If the Discharger waives the right to a hearing, the Director shall issue an Order setting

liability in the amount proposed in the complaint unless the Director and the Discharger have entered into a settlement agreement, in which case the Director shall issue an Order setting liability in the amount specified in the settlement agreement. The settlement agreement shall be approved by the City Attorney as to form. Where the Discharger has waived the right to a hearing or where the Director and the Discharger have entered into a settlement agreement, the Order shall not be subject to review by any court or governmental agency.

(2) Any hearing required by subsection (1) shall be conducted in accordance with Section 129.

(3) Orders imposing civil liability issued under this section shall become effective and final upon issuance. Payment of civil penalties to the Director shall be made within thirty (30) days of issuance of the Order. Copies of such Orders shall be served by personal service or by certified mail upon the Discharger served with the complaint and upon other Persons who appeared and participated at the hearing and requested a copy.

(d) Injunctive Relief.

(1) Upon the failure of any Discharger or Dischargers to comply with any requirement of this Article, a Permit, or any regulation, prohibition, cease and desist Order, clean-up and abatement Order, or any other Order issued by the Director, the City Attorney, upon request of the Director, may petition the proper court for injunctive relief, payment of

civil penalties, and any other appropriate remedy, including restraining such Discharger or Dischargers from continuing any prohibited activity and compelling compliance with lawful requirements.

(2) In any civil action brought pursuant to this Article in which a temporary restraining order, preliminary injunction, or permanent injunction is sought, it is not necessary to allege or prove at any stage of the proceeding that irreparable damage will occur should the temporary restraining order, preliminary injunction, or permanent injunction not be issued, or that the remedy at law is inadequate. The court shall issue a temporary restraining order, preliminary injunction, or permanent injunction in a civil action brought pursuant to this article without the allegations and without the proof specified above.

(e) Termination of Discharge.

In addition to other remedies, when in the judgment of the Director the Discharger has not or can not demonstrate satisfactory progress toward compliance with the requirements of this Article, the Director, after providing written notice to the discharger by certified mail 30 days in advance of such action, may sever or plug the connection from the Discharger's side sewer to the Sewerage System or otherwise prevent the Discharge of Wastewater from the Discharger's facilities to the Sewerage System.

(f) Orders issued under this Section shall become final upon receipt by the Discharger or as specified by the Director. Orders may be issued by certified mail, or, except for Orders under Paragraph (e), by personal service.

(g) The Discharger may request a public hearing within 15 days of the final date of an Order issued under subsections (a), (b) or (e) of this Section. The effective date of such an Order shall not be postponed solely because of the filing of a request for a hearing. Notice of a public hearing and of the final decision of the Director shall be given as provided in Section 129.

SEC. 133. PENALTIES

(a) Criminal Penalties.

(1) Except as provided in subsection (a)(2) of this Section, any Person who violates any provision of this Article is guilty of a misdemeanor and upon conviction shall be fined in an amount not exceeding $1000 or be imprisoned in county jail for not more than six months, or both. Each day each violation is committed or permitted to continue shall constitute a separate offense.

(2) Any Person who violates Section 123(e), Section 123(f), or Section 123(h) of this Article shall be guilty of:

(A) A misdemeanor in accordance with subsection (a)(1) of this section, or

(B) An infraction punishable by a fine in an amount not in excess of $500. Each day each violation is committed or permitted to continue shall constitute a separate offense.

(3) Falsifying of Information. Any Person who knowingly makes any false statement or misrepresentation in any record, report plan, or other document filed with the Director, or tampers with or knowingly renders inaccurate any monitoring device or sampling

and analysis method required under this Article, shall be punished by a fine of not more than $25,000 or by imprisonment in county jail for not more than six months, or both.

(b) Civil Penalties.

(1) Any Person who, without regard to intent or negligence, causes or permits any Discharge of Wastewater or hazardous waste, as defined in Title 22, California Code of Regulations and its amendments, into the City's sewerage system, except in accordance with all Permit requirements and other provisions of this Article; violates any provision of a cease and desist Order or cleanup and abatement Order issued by the Director; or violates any requirement or prohibition of this Article, shall be liable civilly to the City in an amount not to exceed $10,000 per day for each violation that occurs.

(2) Any Person who intentionally or negligently causes or permits any Discharge of Wastewater or hazardous waste, as defined in Title 22, California Code of Regulations, into the City's Sewerage System, except in accordance with all Permit requirements and other provisions of this Article; violates any provision of a cease and desist Order or cleanup and abatement Order issued by the Director; or violates any requirement or prohibition of this Article, shall be liable civilly to the City in an amount not to exceed $25,000 per day for each violation that occurs.

(c) Administrative Civil Penalties.

(1) Notwithstanding subsection (b), any Person who, without regard to intent or negligence, causes or permits any Discharge of Wastewater or hazardous waste, as defined in Title 22, California Code of Regulations and its amendments, into the City's sewerage system, except in accordance with all Permit requirements and other provisions of this Article; violates any provision of a cease and desist Order or cleanup and abatement Order issued by the Director; or violates any requirement or prohibition of this Article, shall be liable civilly to the City in an amount not to exceed $1,000 per day for each violation that occurs.

(2) Notwithstanding subsection (b), any Person who intentionally or negligently causes or permits any Discharge of Wastewater or hazardous waste, as defined in Title 22, California Code of Regulations, into the City's Sewerage System, except in accordance with all Permit requirements and other provisions of this Article; violates any provision of a cease and desist Order or cleanup and abatement Order issued by the Director; or violates any requirement or prohibition of this Article, shall be liable civilly to the City in an amount not to exceed $2,000 per day for each violation that occurs.

(3) A civil penalty may not be imposed pursuant to this subsection and subsection (b) for the same violation.

(d) Remedies under this section are in addition to, and do not supercede or limit, any and all other civil or

criminal remedies available to the City under local, state and federal law.

SEC. 134. SPECIAL ASSESSMENT LIENS.

(a) Costs and charges incurred by the City by reason of the abatement of any violation of this Article, including but not limited to monitoring and inspection costs; a delinquency in the payment of a bill for any industrial waste charge in excess of 30 days; and any civil penalties assessed against a Discharger for violations of this Article or against the City for violations caused by a Discharger shall be an obligation owed by the owner of the property where the Discharge originated to the City. The City shall mail to the owner of the property where the Discharge occurred a notice of the amounts due and a warning that a lien will be recorded against the property if the amounts due are not paid within 30 days after mailing of the notice.

(b) Special assessment liens shall be created and assessed in accordance with the requirements of Article XX of Chapter 10 of the San Francisco Administrative Code, commencing with section 10.230.

SEC. 135. NEWSPAPER NOTIFICATION OF VIOLATIONS.

The Director shall provide for annual notice in the City's largest circulated newspaper of Dischargers that were in Significant Noncompliance during the preceding twelve months.

SEC. 136. DISCLOSURE OF INFORMATION.

(a) Any records, reports, or information submitted by a Discharger to the Director, whether made in writing or by communication incorporated in Department reports, shall be available to the public, except upon a showing made by a Discharger satisfactory to the Director that public disclosure of records, reports, or information which the Director or other authorized personnel has received would divulge methods or processes entitled

to protection as confidential trade secrets. All such records, reports, or information at any time may be disclosed to other authorized city personnel or any local, state or federal agency.

(b) Whenever the Director makes a written request or Orders that a Discharger furnish information, the request or Order shall include a notice that:

(1) States that the Discharger may assert a business confidentiality claim covering specified information; and

(2) States that if no such claim accompanies the information when it is received by the Director, it may be made available to the public without further notice to the Discharger.

(c) In assessing the validity of a business confidentiality claim, the Director shall determine whether the information is entitled by statute or judicial order to confidential treatment. In the absence of such a finding, the Director shall make the information available for public disclosure.

(d) Notwithstanding any other provision of this Section, Discharger Wastewater data is not confidential and shall be made available to the public without restriction.

SEC. 137. RETENTION OF DISCHARGER INFORMATION.

Any reports that must be submitted pursuant to Section 127 to the Director by a Discharger shall be retained for a minimum of 5 years and shall be made available for inspection and copying by the Director or any state or federal agency. This period of retention shall be extended during the course of any unresolved litigation regarding the Discharge of Pollutants by the Discharger or the operation of the City's Pretreatment Program or when requested by any state or federal agency.

SEC. 138. SEVERABILITY. If any section, sub-section, sub-division, paragraph, sentence, clause, or phrase of this Article, is for any reason held to be unconstitutional, invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Article. The Board of Supervisors declares that it would have passed each section, sub-section, sub-division, paragraph, sentence, clause, or phrase of this Article irrespective of the fact that any one or more sections, sub-sections, sub-divisions, paragraphs, sentences, clauses, or phrases could be declared unconstitutional, invalid or ineffective.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: _____
Deputy City Attorney

RECOMMENDED:

_____
RUDOLF NOTHENBERG
Chief Administrative Officer

RECOMMENDED:

_____
RICHARD J. EVANS
Director of Public Works

RECOMMENDED:

_____
ROBERT T. COCKBURN
Executive Director
Clean Water Program

DEPARTMENT OF PUBLIC WORKS

9635j

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
January 6, 1992	§	January 13, 1992
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley	§	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisor Ward	§	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No.
123-91-3

JAN 23 1992
Date Approved

_____
Mayor

FILE NO. 170-91-15

ORDINANCE NO. 20-92

(First Amendment to Moscone Project Lease)

APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A FIRST AMENDMENT TO PROJECT LEASE; APPROVING THE ISSUANCE OF THE REDEVELOPMENT AGENCY OF THE CITY AND COUNTY OF SAN FRANCISCO LEASE REVENUE BONDS, SERIES 1992 (GEORGE R. MOSCONE CONVENTION CENTER); APPROVING THE FORM OF AN OFFICIAL STATEMENT WITH RESPECT THERETO; AUTHORIZING AN AGREEMENT WHICH PROVIDES FOR A LIMIT OF THREE MILLION DOLLARS ($3,000,000) OF SAVINGS WHICH CAN BE EXPENDED BY THE AGENCY; AND AUTHORIZING AND RATIFYING THE EXECUTION AND DELIVERY OF DOCUMENTS REASONABLY NECESSARY FOR THE ISSUANCE, SALE AND DELIVERY OF SUCH BONDS, ALL IN CONNECTION WITH A REFUNDING OF THE REDEVELOPMENT AGENCY OF THE CITY AND COUNTY OF SAN FRANCISCO GEORGE R. MOSCONE CONVENTION CENTER LEASE REVENUE BONDS, SERIES 1988, AND THE REIMBURSEMENT OF CERTAIN COSTS OF THE PROJECT TO THE CITY AND COUNTY OF SAN FRANCISCO.

WHEREAS, The City and County of San Francisco (the "City") has a need for and desires to amend, through a first amendment to project lease (the "First Amendment to Project Lease"), the 1988 Project Lease of the addition to the George R. Moscone Convention Center (the "Project") being constructed by the Redevelopment Agency of the City and County of San Francisco (the "Agency"), which project lease is dated as of March 1, 1988, by and between the Agency and the City, and has been amended and supplemented by a Lease Certificate dated July 13, 1988 (together, the "Original 1988 Project Lease"), for the purpose of refinancing a portion of the Agency's George R. Moscone Convention Center Lease Revenue Bonds,

Series 1988 (the "Prior Bonds") and for the purpose of reimbursing the City for certain costs of the Project, through the issuance by the Agency of its Lease Revenue Bonds, Series 1992 (George R. Moscone Convention Center) (the "Bonds"); and

WHEREAS, The execution of the First Amendment to Project Lease is not subject to approval by the qualified voters of the City under Section 7.309 of the Charter, in that the First Amendment to Project Lease, which will be executed in connection with the partial refunding of the Prior Bonds, will result in lower total rental payments than those under the original 1988 Project Lease with respect to the Prior Bonds, in accordance with subsection (c)(2) of Section 7.309;

NOW, THEREFORE, BE IT ORDAINED BY THE PEOPLE OF THE CITY AND COUNTY OF SAN FRANCISCO:

Section 1. In accordance with the recommendation of the Chief Administrative Officer, the form of First Amendment to Project Lease presented to this Board of Supervisors, copies of which are on file with the Clerk of the Board of Supervisors, is hereby approved. The Mayor is hereby authorized to execute and deliver, and the Clerk is hereby directed to affix the seal of the City and to attest to, the First Amendment to Project Lease in substantially the form hereby approved or with such changes made pursuant to Section 2.

Section 2. The Mayor, upon consultation with the City Attorney, is hereby authorized to make any changes to the First Amendment to Project Lease that hereafter become necessary in the

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interests of the City, which changes (a) do not materially affect the substance, or materially increase the obligations, of the City, including, without limitation, alteration of Exhibit A of said First Amendment to Project Lease to conform with any title insurance requirements; or (b) do not result in (i) annual Base Rental (as such term is defined in the First Amendment to Project Lease) in excess of seventeen million dollars ($17,000,000) in any fiscal year, (ii) annual Deferred Base Rental (as such term is defined in the First Amendment to Project Lease) in excess of eight hundred seventy thousand dollars ($870,000) in any fiscal year, (iii) a true interest cost on the Bonds in excess of eight percent (8.0%), or (iv) a Termination Date (as such term is defined in the First Amendment to Project Lease) later than July 1, 2018, with approval of such changes to be conclusively evidenced by execution of the First Amendment to Project Lease by the Mayor. The delegation to the Mayor to execute the First Amendment to Project Lease shall terminate on December 31, 1993.

Section 3. The form of proposed Official Statement describing the Redevelopment Agency of the City and County of San Francisco Lease Revenue Bonds, Series 1992 (George R. Moscone Convention Center) is hereby approved as the Official Statement describing the Bonds, with such changes and additions as may be determined to be necessary or desirable by the City Attorney.

Section 4. The issuance of not to exceed one hundred ten million dollars ($110,000,000) aggregate principal amount of the

1/13/92 ejp

Bonds (net of any original issue discount on such Bonds) is hereby approved.

Section 5. The Chief Administrative Officer is hereby authorized and directed to enter into an agreement with the Agency which shall provide that the Agency is authorized to expend three million dollars ($3,000,000) of any and all net savings actually realized by the Agency as a result of the issuance of bonds approved under this Ordinance, and the Agency shall be required to obtain approval of the Board of Supervisors prior to the expenditure of any and all net savings actually realized that exceed the three million dollars ($3,000,000) referred to above.

1/13/92 ejp

Section 6. The Mayor, Chief Administrative Officer, Clerk of the Board of Supervisors, City Attorney, City Controller, Director of Public Works, Director of Property and all other officers of the City are each hereby authorized and directed to take any and all steps and to issue and deliver any and all certificates, requisitions, agreements, notices, consents, opinions and other documents, which they or any of them might deem necessary or appropriate in order to consummate the lawful issuance, sale and delivery of the Bonds, including but not limited to the execution of a commitment letter or other instrument necessary in order to obtain municipal bond insurance with respect to any or all of the Bonds.

1/13/92 ejp

Section 7. All actions authorized and directed by this ordinance and heretofore taken are hereby ratified, approved and confirmed by this Board of Supervisors.

1/13/92
ejp

Section 8. Pursuant to Section 2.304 of the Charter, this Ordinance shall become effective immediately upon its passage.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Robert A. Kenealey
ROBERT A. KENEALEY
Assistant Chief
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
January 13, 1992	January 21, 1992
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Maher Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisors Hsieh Kennedy	Absent: Supervisors Britt Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
170-91-15

JAN 24 1992
Date Approved

Frank M. Jordan
Mayor

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FILE NO. 101-91-34

ORDINANCE NO. 31-92

RO # 91118 SA # 6

(Government Funding)

APPROPRIATING $667,685 FOR PROFESSIONAL SERVICES - PROP. J., SHERIFF DEPARTMENT FOR YEAR 1991-92.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1991-92 as follows:

Department And Number	Source Of Funds And Purpose of Appropriation	Amount Debit	Amount Credit
01-001	General Fund		
60-6041 (119990)	Trail Court Funding Subvention	$667,685	
06-00-00	Sheriff		
10-1020 (306589)	Professional Services - Prop. J		$667,685

Approved As To Form
Louise H. Renne, City Attorney

BY: _____
Deputy City Attorney

Funds Available

_____
(for) **Controller**

Ernie.13

Board of Supervisors, San Francisco

Passed for Second Reading

January 13, 1992

Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward

Finally Passed

January 21, 1992

Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward

Absent: Supervisors Alioto Britt

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No. 101-91-34

JAN 24 1992
Date Approved

_____
Mayor

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FEB 10 1992

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FILE NO. 45-91-76 ORDINANCE NO. 22-92

RO #91135

[SETTLEMENT OF LAWSUIT]
AUTHORIZING SETTLEMENT OF LITIGATION OF EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (JAMES L. JACKSON) AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $50,000.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "JAMES L. JACKSON v. CITY AND COUNTY OF SAN FRANCISCO, et al.," U.S. District Court No. C-86-1328 EFL, by the payment of Fifty Thousand Dollars ($50,000).

APPROVED AS TO FORM
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. NEILEY
Chief Trial Deputy

RECOMMENDED:
SAN FRANCISCO POLICE DEPARTMENT

WILLIS CASEY
Chief

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 38
309781 1450 $50,000.00

DEC 30 1991

APPROVED:

POLICE COMMISSION

SECRETARY

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
January 21, 1992	January 27, 1992
Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisors Alioto Britt	Absent: Supervisor Britt

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
45-91-76

JAN 30 1992
Date Approved

Mayor

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Finance

12/18/91 - Aa amended in Committee.
1/10/92 - As amended in Committee.

FILE NO. 101-91-30

ORDINANCE NO. 23-92

RO# 91119 SA# 47

(Government Funding)

1/10/92 BT 12/18/91 jlb APPROPRIATING ~~$4,491,000~~ $4,750,000 FOR CAPITAL IMPROVEMENT PROJECT (ISLAIS PUMP STATION AND SOUTHEAST PLANT DESIGN), PUBLIC WORKS FOR FISCAL YEAR 1991-92; PLACING $250,000 ON RESERVE.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1991-92 as follows:

Department And Number	Source Of Funds And Purpose of Appropriation	Amount Debit	Amount Credit
35-898	1991 Sewer Revenue Bond Fund		
90-05-00	Public Works Engineering		
Project 898-00	ISLAIS Creek Pump Station and Southeast Plant Design		
55-5500 (056650)	Proceeds - Sale of Bonds	~~$4,491,000~~ $4,750,000	
20-2030 (544122)	Capital Improvement Project		~~$4,491,000~~ $4,750,000

1/10/92 BT

12/18/91 jlb Section 2. Funds of $250,000 for a geotechnical consultant are hereby placed on reserve pending the selection of contractors and finalized cost details, to be released by the Finance Committee.

Approved As To Form:
Louise H. Renne, City Attorney

BY: Deputy City Attorney

Funds Available:

Controller

Emle.11

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
January 21, 1992	January 27, 1992
Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisor Britt	Absent: Supervisor Britt

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

John L. Taylor
Clerk

File No. 101-91-30

FEB 03 1992
Date Approved

Frank M. Jordan
Mayor

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FILE NO. 45-91-72

ORDINANCE NO. 24-92

RO #91123

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF VILMA BAEZA AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $8,000.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled Vilma Baeza v. Patrick Coffey, City and County of San Francisco, et al., Municipal Court No. 050-023, by the payment of $8,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

DEPARTMENT OF PUBLIC WORKS

for RICHARD EVANS, Director

FUNDS AVAILABLE:

CONTROLLER

01 001 97 09 90
309674 1450 $8,000.00

DEC 13 1991

APPROVED:

for CHIEF ADMINISTRATIVE OFFICER

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
January 21, 1992	January 27, 1992
Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisors Alioto Britt	Absent: Supervisor Britt

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-91-72

FEB 03 1992
Date Approved

Mayor

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FEB 19 1992

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FILE NO. 45-91-73 ORDINANCE NO. 25-92

RO #91095

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF BEVERLY NESS AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $12,000.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "BEVERLY NESS v. CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court No. 937-302, by the payment of $12,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

RICHARD J. EVANS
Director, Department of Public Works

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 90
309674 1450 $12,000.00

DEC 13 1991

APPROVED

RUDOLF NOTHENBERG
Chief Administrative Officer

8400N

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
January 21, 1992	January 27, 1992
Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisors Alioto Britt	Absent: Supervisor Britt

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-91-73

FEB 03 1992
Date Approved

Mayor

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FILE NO. 45-91-74

ORDINANCE NO. 26-92

RO #91130

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF ROY GAGER AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $6,750.00.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "ROY GAGER V. THE CITY AND COUNTY OF SAN FRANCISCO, ET AL., Superior Court No. 915-541, by the payment of $6,750.00.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
CITY ATTORNEY

KIMBERLY A. REILEY
Chief Trial Deputy

FUNDS AVAILABLE:

CONTROLLER

01 001 97 09 90
309674 1450 $6,750.00

DEC 23 1991

RECOMMENDED:

DEPARTMENT OF PUBLIC WORKS

for RICHARD EVANS, Director

APPROVED:

for RUDOLF NOTHENBERG
CHIEF ADMINISTRATIVE OFFICER

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
January 21, 1992	January 27, 1992
Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisors Alioto Britt	Absent: Supervisor Britt

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-91-74

FEB 03 1992
Date Approved

Mayor

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FILE NO. 45-91-75

ORDINANCE NO. 27-92

RO #91132

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF NELSON ALAS AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $15,000.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "NELSON ALAS v. CITY AND COUNTY OF SAN FRANCISCO" U.S.D.C. Court No. C-89-3363, by the payment of Fifteeny Thousand Dollars ($15,000).

APPROVED AS TO FORM
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

for KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:
SAN FRANCISCO POLICE DEPARTMENT

WILLIS CASEY
Chief

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 38
309781 1450 $15,000.00

DEC 30 1991

APPROVED:
POLICE COMMISSION

SECRETARY

.1146G

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
January 21, 1992	§	January 27, 1992
Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward	§	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisors Alioto Britt	§	Absent: Supervisor Britt

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
45-91-75

FEB 03 1992
Date Approved

Mayor

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FILE NO. 46-91-17 ORDINANCE NO. 28-92

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF CITY AND COUNTY OF SAN FRANCISCO V. ELADIO SABATER PORTEM, ET AL., UPON RECEIPT OF THE SUM OF $7,500.00 AND DISMISSAL OF COMPLAINT.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized and directed to settle San Francisco Municipal Court No. 058588 entitled "City and County of San Francisco, Plaintiff, v. Eladio Sabater Portem, et al., Defendants" by acceptance of the sum of $7,500.00 from the defendants and dismissing complaint.

Section 2. Upon receipt of said sum of $7,500.00 and appropriate paperwork the City Attorney is authorized to dismiss said complaint.

APPROVED
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

By Kimberly A. Reiley
KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

RETIREMENT BOARD
SAN FRANCISCO CITY AND COUNTY
EMPLOYEES' RETIREMENT SYSTEM

By Pam Levesque
PAM LEVESQUE
Executive Assistant to
General Manager

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
January 21, 1992	January 27, 1992
Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisors Alioto Britt	Absent: Supervisor Britt

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
46-91-17

FEB 03 1992
Date Approved

Frank M. Jordan
Mayor

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Amended in Cmte. 1/15/92.

FILE NO. 97-91-57 ORDINANCE NO. 29-92

[Amnesty-Surrender of Firearms Program Special Fund]

AMENDING CHAPTER 10 OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING SECTION 10.117-105, THERETO, ESTABLISHING A SPECIAL FUND FOR THE RECEIPT AND EXPENDITURE OF FUNDS SOLELY FOR THE AMNESTY-SURRENDER OF FIREARMS.

1/15/92 BT

NOTE: The entire section is new.

Be it ordained by the people of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by adding Section 10.117-105, thereof, to read as follows:

(a) Establishment of Fund. There is hereby established a special fund for the purpose of receiving all donations of money, gifts, grants, and bequests which may be offered to the City and County to support an Amnesty Surrender of Firearms Program. Said special fund shall be known and designated as the Amnesty-Surrender of Firearms Program Special Fund.

(b) Acceptance of Gifts. All donations of money, gifts, grants, and bequests which may be offered to the Amnesty-Surrender of Firearms Program are hereby accepted for such purposes. Any money, gifts, grants, and bequests from private sources for this purpose shall be deposited into said special fund.

(c) Expenditure of Monies. The monies in this fund shall be used or expended, in accordance with the budgetary and fiscal provisions of the Charter, solely for the purpose of payment to citizens for firearms surrendered to the City under the Amnesty-Surrender of Firearms Program. ~~Monies from the fund may also be expended to cover the costs incurred in administering the fund.~~ The San Francisco Police Commission, or its designee, shall have the discretion to expend monies from the Fund for ~~these~~ this purpose~~s~~, subject to annual budgetary review and approval by the Board of Supervisors.

1/15/92 BT

~~(d) Interest. Interest earned from the Amnesty-Surrender of Firearms Program Special Fund shall become part of the principal thereof, and shall not be expended for any purposes other than for which said fund is established.~~

(~~e~~d) Accumulation of Monies in Fund. The balance remaining in the Amnesty-Surrender of Firearms Program Special Fund at the close of any fiscal year shall be deemed to have been provided for a specific purpose within the meaning of Charter Section 6.306 and shall be carried forward and accumulated in said fund for the purposes recited herein.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By _____
JULIA TEN EYCK
Deputy City Attorney

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SUPERVISOR KENNEDY
POLICE COMMISSION

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
January 21, 1992	§	January 27, 1992
	§	
	§	
Ayes: Supervisors Achtenberg	§	Ayes: Supervisors Achtenberg Alioto
Gonzalez Hallinan Hsieh Kennedy	§	Gonzalez Hallinan Hsieh Kennedy
Maher Migden Shelley Ward	§	Maher Migden Shelley Ward
	§	
Absent: Supervisors Alioto Britt	§	Absent: Supervisor Britt

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
97-91-57

FEB 03 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 101-91-31

ORDINANCE NO. 30-92

RO # 91089 SA # 35

(Government Funding)

ADJUSTING REVENUE AND EXPENDITURE APPROPRIATIONS FOR PUBLIC HEALTH DEPARTMENT IN THE GENERAL FUND, TOBACCO TAX FUND, HEALTH AND WELFARE REALIGNMENT FUND, HOSPITAL OPERATING FUND AND LAGUNA HONDA OPERATING FUND, REFLECTING REVENUE ADJUSTMENTS FOR FISCAL YEAR 1991-92, RESULTING FROM STATE BUDGET ADOPTION.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1991-92 as follows:

Department And Number	Source Of Funds And Purpose of Appropriation	Amount Debit	Amount Credit
36-001	Hospital Operating Fund		
36-01-00 ( )	San Francisco General Hospital		
Project 021-02	CHIP-Hospital Services City		
99-9990- (228940)	Revenue Transfer in from #01-292, Tobacco Tax Fund; 83-01-02	$56,730	
Project 026-02	CHIP-Other City Health Services		
99-9990 (228981)	Reserve Transfer In From #01-292, Tobacco Tax Fund; 83-01-02		$1,941,809
62-6220 (041061)	County Health Services - State		23,618,709
62-6221	Medically Indigent Adult Block Grant		20,120,539
62-6224	SLIAG		922,358
76-7673	Short Doyle		1,979,300
76-7674	Short Doyle Medical		2,737,664
99-9990 ( )	Revenue Transfer in from #01-293, Health and Welfare Realignment Fund-Health; 99-00-00	46,546,685	
99-9990 ( )	Revenue Transfer in from #01-293, Health and Welfare Realignment Fund-Mental Health; 99-00-00	4,716,964	
	Total - S.F. General Hospital	$51,320,379	$51,320,379
37-001	Laguna Honda Operating Fund		
85-00-00	Laguna Honda Hospital		
99-9990 ( )	Revenue Transfer in from #01-293, Health and Welfare Realignment Fund-Health; 99-00-00	$614,000	
62-6220 (047316)	County Health Services - State		$614,000
01-001	General Fund		
87-22-00	CMHS - Business and Operation		
99-9990 ( )	Revenue Transfer in from #01-293, Health and Welfare Realignment Fund-Mental Health; 99-00-00	$41,945,779	
99-9990 ( )	Revenue Transfer in from #01-293 Health and Welfare Realignment Fund - Health; 99-00-00	6,674,923	

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Department And Number	Source Of Funds And Purpose of Appropriation	Amount Debit	Amount Credit
60-6074 (048041)	Short Doyle		$ 5,270,643
62-6220	County Health Services - State		4,512,186
62-6221	Medically Indigent Adult Block Grant		2,068,431
75-7590	Miscellaneous - SLIAG		226,437
75-7598	Short Doyle - Medical		10,565,405
	Total - Business and Operation		$22,643,102
87-28-00	Substance Abuse Services		
62-6221 (040915)	Medically Indigent Adult Block Grant		$ 67,869
87-25-00	Adult Acute		
10-1010 (730416)	Medical Services Contract		18,562,545
87-24-06	Geriatric		
10-1010 (731547)	Medical Services Contract		7,547,186
	Total - CMHS	$48,820,702	$48,820,702
83-00-00	Public Health		
01-001	General Fund		
Project 021-01	CHIP-Hospital Service County		
99-9990 (228932)	Revenue Transfer In From #01-292, Tobacco Tax Fund; 83-01-01	$5,010	
99-9990 ( )	Revenue Transfer In From #01-293, Health and Welfare Realignment Fund Health; 83-00-00	236,969	

Department And Number	Source Of Funds And Purpose of Appropriation	Amount Debit	Amount Credit
99-9990 ( )	Revenue Transfer In from #01-293, Health and Welfare Realignment Fund Social Services; 45-00-00	509,750	
99-9990 ( )	Revenue Transfer In from #01-293 Health and Welfare Realignment Fund - Health; 83-00-00	12,987,301	
01-0010 (441006)	Permanent Salaries - Miscellaneous	23,357	
04-0600 (441006)	Mandatory Fringe Benefits	6,083	
10-1000 (441006)	Professional Services	272,260	
30-3020 (441006)	Services of Other Departments- City Attorney	11,321	
62-6220 (053744)	County Health Services - State		$11,991,812
62-6224 (053744)	SLIAG		625,759
Project 023-01	CHIP - Hospital Services Non-County		
99-9990 (228957)	Revenue Transfer In From #01-292, Tobacco Tax Fund; 83-01-02		88,570
Project 024-01	CHIP - Physician Services		
99-9990 (228965)	Revenue Transfer In From #01-292 Tobacco Tax Fund; 83-01-02		52,456
Project 026-01	CHIP - Other County Health		
99-9990 (228973)	Revenue Transfer from #01-292 Tobacco Tax Fund; 83-01-02		102,650

Department And Number	Source Of Funds And Purpose of Appropriation	Amount Debit	Amount Credit
62-6221 (053769)	Medically Indignemt adult block Grant		236,969
62-6208 (053769)	Crippled Children's Service		509,750
G.L. 496 (000026)	Unappropriated Revenue Reserved		
Subsidiary 000006	General Reserve		444,085
	Total - General Fund	$14,052,051	$14,052,051
01-292	Tobacco Tax Fund		
Project 021-00	Hospital Service - County		
60-6081 (053884)	Prop 99 - Tobacco Tax	$ 61,740	
Project 022-02	Hospital Services - Non County Formula		
10-1010 (734343)	Medical Service Contract	866,638	
Project 023-01	Hospital Services - Non County Access		
49-4900 (909374)	Revenue Transfer out to #01-001, General Fund; 83-01-01	88,570	
Project 023-02	Hospital Services - Non County Access		
10-1010 (734343)	Medical Services Contract	771,307	
Project 023-03	Hospital Servcies - Non County Access		

BOARD OF SUPERVISORS

Department And Number	Source Of Funds And Purpose of Appropriation	Amount Debit	Amount Credit
10-1000 (734343)	Professional Services	6,760	
Project 024-01	Physician Services		
49-4900 (909382)	Revenue Transfer out to #01-001, General Fund; 83-01-01	52,456	
Project 024-02	Physician Services		
10-1010 (734343)	Medical Service Contract	803,829	
Project 024-03	Physican Services		
ejp 2/3/92 10-1010 (734343)	Professional Services	36,859 ~~100,859~~	
Project 026-01	Other County Health Services		
49-4900 (909390)	Revenue Transfer Out to #01-001, General Fund; 83-01-01	102,650	
Project 026-02	Other County Health Services		
49-4900 (909408)	Revenue Transfer out to #36-001, San Francsico General Hospital; 86-01-00	1,941,809	
Project 022-00	Hospital Services - Non County Formula		
60-6081 (053884)	Prop 99 - Tobacco Tax		$ 866,638
Project 023-00	Hospital Services County Access		
60-6081 (053884)	Prop 99 - Tobacco Tax		866,637
Project 024-00	Physician Services		
60-6081 (053884)	Prop 99 - Tobacco Tax		893,144

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BOARD OF SUPERVISORS

Department And Number	Source Of Funds And Purpose of Appropriation	Amount Debit	Amount Credit
Project 026-00	Other County Health Services		
60-6081 (053884)	Prop 99 - Tobacco Tax		2,044,459
Project 021-01	Hospital Services - County		
49-4900 (909358)	Revenue Transfer Out to #01-001, General Fund; 83-01-01		5,010
Project 021-02	Hospital Services - County		
49-4900 (909366)	Revenue Transfer out #36-001, San Francisco General Hospital 86-01-00		56,730
	Total - Tobacco Tax Fund	$ 4,732,618	$ 4,732,618
	Grand Total - Public Health	$18,784,669	$18,784,669
01-293	Health and Welfare Realignment fund		
Project 003-00	Sales Tax - Public Health		
51-5182 ( )	Sales Tax - Realignment Fund	$65,611,669	
49-4900 ( )	Revenue Transfer out to #36-001, San Francisco General Hospital 86-00-00		$46,546,685
49-4900 ( )	Revenue Transfer out to 36-001, San Francisco General Hospital 86-00-00		4,716,964
49-4900 ( )	Revenue Transfer out to #37-001, Laguna Honda Operating Fund; 85-00-00		614,000
49-4900 ( )	Revenue Transfer out to #01-001, General Fund; 83-00-00		12,987,301

Department And Number	Source Of Funds And Purpose of Appropriation	Amount Debit	Amount Credit
49-4900 ( )	Revenue Transfer out to #01-001, General Fund; 83-00-00		236,969
49-4900 ( )	Revenue Transfer out to #01-001, General Fund; 83-00-00		509,750
	Total Project 003	$65,611,669	$65,611,669
Project 001-00	Sales Tax - Mental Health		
51-5182 ( )	Sales Tax - Realignment Fund	$48,820,702	
49-4900 ( )	Revenue Transfer out to #01-001, General Fund; 87-00-00		$41,945,779
49-4900 ( )	Revenue Transfer out to #01-001, General Fund; 87-00-00		6,874,923
	Total - Project 002-00	$ 48,820,702	$ 48,820,702
	Grand Total- Realignment Fund	$114,432,371	$114,432,371

Approved As To Form
Louise H. Renne, City Attorney

Funds Available

BY: _____
Deputy City Attorney

_____
Controller

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
January 21, 1992	January 27, 1992
Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisors Britt Maher	Absent: Supervisor Britt

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-91-31

FEB 03 1992
Date Approved

Art Agnos
Mayor

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FILE NO. 101-91-32

ORDINANCE NO. 81-92

RO # 91090SA # 33

(Government Funding)

ADJUSTING REVENUE & EXPENDITURE APPROPRIATIONS FOR DEPARTMENT OF SOCIAL SERVICES IN THE GENERAL FUND, WELFARE ASSISTANCE AND ADMINISTRATION FUND AND HEALTH AND WELFARE REALIGNMENT FUND, REFLECTING REVENUE ADJUSTMENTS, RESULTING FROM STATE BUDGET ADOPTION FOR FISCAL YEAR 1991-92.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1991-92 as follows:

Department And Number	Source Of Funds And Purpose of Appropriation	Amount Debit	Amount Credit
01-001	General Fund		
99-9990 ( )	Revenue Transfer in from #01-293 Health and Welfare Realignment Fund 45-00-00	$11,030,047	
63-6307 (040624)	Aid for Adoption of Children		$ 581,906
16-1620 (647784)	IHSS - Non Contractual Assistance and Administration Fund		10,448,141
	TOTAL - General Fund	$11,030,047	$11,030,047
01-291	Welfare Assistance and Administration Fund		
99-9990 ( )	Revenue Transfer in from #01-293, Health and Welfare Fund, 45-00-00	$14,824,062	
63-6311 (041442)	AFDC - State Aid	2,387,051	
63-6314	AFDC-State Administrative Assistance	1,693,646	
63-6347	Food Stamp Program - State	1,044,924	
63-6309	Maintenance of Minors in Foster Homes - State		$18,184,128
63-6339	GAIN Administration - State		518,641
63-6345	Title XX - Federal Aid		1,246,934
	TOTAL - Welfare Assistance and Administration Fund	$19,949,703	$19,949,703
01-293	Health and Welfare Realignment Fund		
Project 002-00	Sales Tax - Social Service		
51-5182 (056689)	Sales Tax - Realignment Fund	$25,854,129	
Project 002-01	Sales Tax - Social Service		
49-4900 ( )	Revenue Transfer Out to #01-001 General Fund; 45-00-00		$11,030,047
49-4900 ( )	Revenue Transfer Out to #01-291, Welfare Assistance and Administration Fund; 45-00-00		14,824,062
	TOTAL - Health & Welfare Realignment Fund	$25,854,129	$25,854,129

Approved As To Form
Louise H. Renne, City Attorney

BY: _____
Deputy City Attorney

Funds Available

_____
Controller

Emle.6

BOARD OF SUPERVISORS

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
January 21, 1992	§	January 27, 1992
	§	
	§	
Ayes: Supervisors Achtenberg Alioto	§	Ayes: Supervisors Achtenberg Alioto
Gonzalez Hallinan Hsieh Kennedy	§	Gonzalez Hallinan Hsieh Kennedy
Migden Shelley Ward	§	Maher Migden Shelley Ward
	§	
Absent: Supervisors Britt Maher	§	Absent: Supervisor Britt

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-91-32

FEB 03 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 102-91-14 ORDINANCE NO. 32-92

PUBLIC EMPLOYMENT SAL.ORD.AMEND.NO. 10

AMENDING ORDINANCE NO. 304-91 (ANNUAL SALARY ORDINANCE, 1991-92) REFLECTING THE ADDITION OF NINETY-THREE POSITIONS IN THE DEPARTMENT OF SOCIAL SERVICES.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated section and items of Ordinance No. 304-91 (Annual Salary Ordinance, 1991-92) are hereby amended so that the same shall read as follows:

(Amendment)	No. Pos.	Class & Item No.	Class & Title	Compensation Schedule
		Dept.: 45 Social Services Division: 00 Social Services Section: 00 Social Services Program: 3102 AFDC Fund: 01001 General Fund Index: 647016 DSS-AFDC Prog. Bud. Proj/Phase: 000/00 Unassigned Title Object: 001 Permanent Salaries-Miscellaneous		
3 added	3	1426 N	Senior Clerk Typist.....SC	$ 956B1158
11 added	11	2905 N	Senior Eligibility Worker.....SC	1147B1388
2 added	2	2907 N	Eligibility Worker Supervisor.....SC	1342B1626
		Dept.: 45 Social Services Division: 00 Social Services Section: 00 Social Services Program: 3107 Boarding Homes and Institutions Fund: 01001 General Fund Index: 647065 DSS-Board Homes: Inst. Prog., B Proj/Phase: 000/00 Unassigned Title Object: 001 Permanent Salaries-Miscellaneous		
3 added	3	2905 N	Senior Eligibility Worker.....SC	$1147B1388
1 added	1	2907 N	Eligibility Worker Supervisor.....SC	1342B1626
		Dept.: 45 Social Services Division: 00 Social Services Section: 00 Social Services Program: 3105 Food Stamps Fund: 01001 General Fund Index: 647040 DSS-Food Stamps Prog. Bud. Proj/Phase: 000/00 Unassigned Title Object: 001 Permanent Salaries-Miscellaneous		
4 added	4	1426 N	Senior Clerk Typist.....SC	$ 956B1158
20 added	20	2905 N	Senior Eligibility Worker.....SC	1147B1388
5 added	5	2907 N	Eligibility Worker Supervisor.....SC	1342B1626
1 added	1	2946 N	Senior Eligibility Worker Supervisor..Z,SC	1666B2023
		Dept.: 45 Social Services Division: 00 Social Services Section: 00 Social Services Program: 3106 Medi-CAL Fund: 01001 General Fund Index: 647057 DSS-Med-CAL Prog. Bud. Proj/Phase: 000/00 Unassigned Title Object: 001 Permanent Salaries-Miscellaneous		
8 added	8	2905 N	Senior Eligibility Worker.....SC	$1147-1388
2 added	2	2907 N	Eligibility Worker Supervisor.....SC	1342B1626
		Dept.: 45 Social Services Division: 00 Social Services Section: 00 Social Services Program: 3104 General Assistance Fund: 01001 General Fund Index: 647032 DSS-Gen. Asst. Prog. Bud. Proj/Phase: 000/00 Unassigned Title Object: 001 Permanent Salaries-Miscellaneous		
4 added	4	1426 N	Senior Clerk Typist.....SC	$ 956B1158
26 added	26	2905 N	Senior Eligibility Worker.....SC	1147B1388
3 added	3	2907 N	Eligibility Worker Supervisor.....SC	1342B1626

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APPROVED AS TO CLASSIFICATION:
CIVIL SERVICE COMMISSION

John J. Lynch FK
GENERAL MANAGER, PERSONNEL

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By: Theodore R. Lakey
DEPUTY CITY ATTORNEY

NO. 10

Civil Service Commission
BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
January 21, 1992	January 27, 1992
Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisor Britt	Absent: Supervisor Britt

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
102-91-14

FEB 03 1992
Date Approved

Frank M. Jordan
Mayor

Amended in Committee 1/15/92.

FILE NO. 101-91-33

ORDINANCE NO. 33-92

RO# 91089A SA# 35A

(GOVERNMENT FUNDING)

1/15/92 BT APPROPRIATING $13,035 ~~$14,053~~ FOR PERMANENT SALARIES - MISCELLANEOUS, RESCINDING $13,035 ~~$14,053~~ FROM PERMANENT SALARIES - MISCELLANEOUS, FOR THE CREATION OF ONE (1) POSITION AND DELETION OF ONE (1) POSITION, PUBLIC HEALTH FOR FISCAL YEAR 1991-92.

Be It ordained by the People of the City and County Of San Francisco:

Section 1. Funds Are Hereby Appropriated For Fiscal Year 1991-92 As Follows:

Department and Number	Source of Funds and Purpose Of Appropriation	Amount Debit	Amount Credit
01-001	General Fund		
83-01-01	Public Health - Administration		
1/15/92 BT 01-0010 (441006)	Permanent Salaries	$13,035 ~~$14,053~~	$13,035 ~~$14,053~~

Section 2. Fund are hereby appropriated for one (1) position created and one (1) position deleted by amendment to the Annual Salary Ordinance (Board of Supervisors File No. 102-91-13) as Follows:

Fund Department Classification	General Fund Public Health Rate	Created	Deleted
1720 L Data Entry Operator	$ 792 B $ 956		1
2588 L Health Worker IV	1,197 B 1,450	1	

Approved As To Form
Louise H. Renne, City Attorney

Deputy City Attorney

Fund Available:

Controller

Civil Service Commission

By: John J. Walsh FE
General Manager, Personnel

ERNIE 14

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FEB 19 1992

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
January 21, 1992	§	January 27, 1992
	§	
	§	
Ayes: Supervisors Achtenberg Alioto	§	Ayes: Supervisors Achtenberg Alioto
Gonzalez Hallinan Hsieh Kennedy	§	Gonzalez Hallinan Hsieh Kennedy
Migden Shelley Ward	§	Maher Migden Shelley Ward
	§	
Absent: Supervisors Britt Maher	§	Absent: Supervisor Britt

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

John L. Taylor
Clerk

File No.
101-91-33

FEB 03 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 102-91-13
PUBLIC EMPLOYMENT

ORDINANCE NO. 34-92
SAL.ORD.AMEND.NO. 12

AMENDINC ORDINANCE NO. 304-91 (ANNUAL SALARY ORDINANCE, 1991-92) REFLECTINC THE ADDITION OF ONE POSITION AND THE DELETION OF ONE POSITION IN THE DEPARTMENT OF PUBLIC HEALTH, CENTRAL OFFICE TO REFLECT CHANCES IN THE STATE BUDCET AS A RESULT OF REALICNMENT AND REAUTHORIZATION OF PROPOSITION 99.

Be it ordsined by the People of the City and County of San Francisco:

Section 1. The hereinafter designated section and items of Ordinance No. 304-91 (Annual Sslary Ordinance, 1991-92) are hereby amended so that the ssme shall read as follows:

(Amend-ment)	No. Pos.	Class & Item No.		Class & Title	Compensation Schedule
		Dept.:	83	Public Health Central Office	
		Division:	01	Public Health Administration	
		Section:	01	Administrstive Services	
		Progrsm:	4360	Administrstion	
		Fund:	01001	Ceneral Fund	
		Index:	441006	Administrstion	
		Proj/Phsse:	000/00	Unssigned Title	
		Object:	001	Permsnent Salsries-Miscellaneous	
1 sdded	1	2588	L	Health Worker IV.....SC	$1197B1450
1 sbolished	0	1720	L	Dsta Entry Operstor.....	792B956

APPROVED AS TO CLASSIFICATION
CIVIL SERVICE COMMISSION

John J. Walsh FC
GENERAL MANAGER, PERSONNEL

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By: Theodore F. Lakey
DEPUTY CITY ATTORNEY

NO. 12

Board of Supervisors, San Francisco

Passed for Second Reading
January 21, 1992

Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward

Absent: Supervisors Britt Maher

Finally Passed
January 27, 1992

Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward

Absent: Supervisor Britt

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
102-91-13

FEB 03 1992
Date Approved

Frank M. Jordan
Mayor

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FEB 10 1992

FILE NO. 101-91-35

ORDINANCE NO. 35-92

RO# 91121 SA# 46

APPROPRIATING $25,000 FOR LITIGATION EXPENSES, CITY ATTORNEY FOR FISCAL YEAR 1991-92.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1991-92 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
01-001	General Fund		
G.L. 496 (000026)	Unappropriated Revenue Reserved		
Subsidiary 000006	General Reserve	$25,000	
03-00-00	City Attorney		
14-1451 (302505)	Litigation Expenses		$25,000

Approved As To Form:
Louise H. Renne, City Attorney

By: _____
Deputy City Attorney

Funds Available:

_____
Controller

Emle.14

Board of Supervisors, San Francisco

Passed for Second Reading

January 21, 1992

Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward

Absent: Supervisors Alioto Britt

Finally Passed

January 27, 1992

Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward

Absent: Supervisor Britt

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No. 101-91-35

FEB 03 1992
Date Approved

_____
Mayor

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FEB 19 1992

FILE NO. 101-91-39

ORDINANCE NO. 36-92

RO # 91091 SA # 34

(Government Funding)

APPROPRIATING $3,267,448 for VARIOUS PURPOSES, FOR THE CREATION OF NINTEY-THREE (93) POSITIONS, REFLECTING REVENUE ADJUSTMENTS, SOCIAL SERVICES FOR FISCAL YEAR 1991-92.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1991-92 as follows:

Department And Number	Source Of Funds And Purpose of Appropriation	Amount Debit	Amount Credit
01-291	Welfare Assistant and Administration Fund		
45-00-00	Social Services		
49-4900 ( )	Revenue Transfer Out to #01-001, General Fund; 45-00-00		$ 4,060,203
63-6313 (041442)	AFDC - Federal Administrative Assistance		980,829
63-6314	AFDC State Administrative Assistance		$24,353
63-6339	GAIN Administration - State	$28,010	
63-6343	Medical Program - State	1,301,150	
63-6345	Title XX - Federal Administration	1,318,908	
63-6346	Food Stamp Programs - Federal	2,294,979	
63-6347	Food Stamp Programs - State	122,338	
	Total Welfare Assistance and Administration Fund	$5,065,385	$5,065,385

Department And Number	Source Of Funds And Purpose of Appropriation	Amount Debit	Amount Credit
01-001	General Fund		
99-9990 ( )	Revenue Transfer In from #01-291, Welfare Assistance and Administration Fund; 45-00-00	$4,060,203	
62-6206 (040824)	Adoption Program - Administration	265,544	
63-6329	Inspection of Homes for Aged & Child-State	74,097	
63-6335	Adult Assistance - State Aid		$20,000
G.L. 496 (000026)	Unappropriated Revenue Reserved		
Subsidiary 000006	General Reserve		$1,112,476
45-00-00	AFDC		
01-0010 (647016)	Permanent Salaries		$333,109
04-0600	Mandatory Fringe Benefits		90,345
	Total - AFDC		**$423,454**
45-00-00	Board Homes		
01-0010 (647065)	Permanent Salaries		$112,145
04-0600	Mandatory Fringe Benefits		30,205
	Total Board Homes		**$142,350**
45-00-00	Food Stamps		
01-0010 (647040)	Permanent Salaries		$578,614
04-0600	Mandatory Fringe Benefits		155,134
	Total - Food Stamps		**$733,748**

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Department And Number	Source Of Funds And Purpose of Appropriation	Amount Debit	Amount Credit
45-00-00	Medi-Cal		
01-0010 (647057)	Permanent Salaries		$463,569
04-0600	Mandatory Fringe Benefits		124,713
	Total - Medi- Cal		**$588,282**
45-00-00	General Assistance		
01-0010 (647032)	Permanent Salaries		$538,604
04-0600	Mandatory Fringe Benefits		146,281
	Total - General Assistance		**$684,885**
45-00-00	Family and Children Services		
01-0010 (640037)	Permanent Salaries		$212,444
04-0600	Mandatory Fringe Benefits		54,498
	Total - Family & Children Services		**$266,942**
45-00-00	Support Services		
10-1200 (647727)	Telephone		$100,558
11-1300	Materials and Supplies		115,008
22-2200	Equipment Purchase		1,800
22-2310	Data Processing/Word Processing Equipment		136,943
34-3400	Services Of other Department-Controller-Data Processing		10,800
	Total - Support Services		**$365,109**

Department And Number	Source Of Funds And Purpose of Appropriation	Amount Debit	Amount Credit
45-00-00	Programmatic Project		
Project 118-01	Aid to Homeless - Phase II		
20-2010 (648915)	Program Project Budget		$62,598
	Grand Total	**$4,399,844**	**$4,399,844**

Section 2. **Funds are hereby appropriated for ninety-three (93) positions created by amendment to the Annual Salary Ordinance (Board of Supervisors File No. 102-91-14) as follows:**

Fund Department Classification	General Fund Social Services RATE	Created
1426 N Clerk Typist	$ 956 B $1,158	11
2905 N Eligibility Worker	1,147 B 1,388	68
2907 N Eligibility Worker Supervisor	1,342 B 1,626	13
2946 N Sr. Eligibility Worker Supervisor	1,666 B 2,023	1
	TOTAL	93

Approved As To Form:
Louise H. Renne, City Attorney

BY: _____
Deputy City Attorney

Funds Available:

_____
Controller

Civil Service Commission

BY: John J. Walsh FF
General Manager, Personnel

Emle.10

Department And Number	Source Of Funds And Purpose of Appropriation	Amount Debit	Amount Credit
45-00-00	Programmatic Project		
Project 118-01	Aid to Homeless - Phase II		
20-2010 (648915)	Program Project Budget		$62,598
	Grand Total	**$4,399,844**	**$4,399,844**

Section 2. **Funds are hereby appropriated for ninty-three (93) positions created by amendment to the Annual Salary Ordinance (Board of Supervisors File No. 102-91-14) as follows:**

Fund Department Classification	General Fund Social Services RATE	Created
1426 N Clerk Typist	$ 956 B $1,158	11
2905 N Eligibility Worker	1,147 B 1,388	68
2907 N Eligibility Worker Supervisor	1,342 B 1,626	13
2946 N Sr. Eligibility Worker Supervisor	1,666 B 2,023	1
	TOTAL	93

Approved As To Form:
Louise H. Renne, City Attorney

BY: _____
Deputy City Attorney

Funds Available:

_____
Controller

Civil Service Commission

BY: John J. Walsh FK
General Manager, Personnel

Emle.10

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
January 21, 1992	January 27, 1992
Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisor Britt	Absent: Supervisor Britt

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 101-91-39

FEB 03 1992
Date Approved

Frank M. Jordan
Mayor

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Amendment of the whole
9/24/91

FILE NO. 115-90-4 Ordinance 37-92

[NEIGHBORHOOD COMMERCIAL DISTRICT -- PERMITTED USES]

AMENDING PART II, CHAPTER II OF THE SAN FRANCISCO MUNICIPAL CODE (CITY PLANNING CODE) BY AMENDING SECTION 179 TO EXTEND THE DEADLINE TO FILE APPLICATIONS FOR PERMITS AND CONDITIONAL USE AUTHORIZATION TO COMPLY WITH APPLICABLE CODE REQUIREMENTS; AND FINDING CONSISTENCY WITH THE PRIORITY POLICIES SET FORTH IN CITY PLANNING CODE SECTION 101.1.

Note: Additions or substitutions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part II, Chapter II of the San Francisco Municipal Code (City Planning Code) is hereby amended by amending Section 179 to read as follows:

SEC. 179. USES LOCATED IN NEIGHBORHOOD COMMERCIAL DISTRICTS.

The following provisions shall govern with respect to uses and features located in Neighborhood Commercial Districts to the extent that there is a conflict between the provisions of this Section and other sections contained in this Article 1.7.

(a) Permitted Uses.

(1) Any use or feature in a Neighborhood Commercial District which lawfully existed on the effective date of Ordinance No. 69-87 which is classified as a principal use by the enactment of Ordinance No. 69-87 is hereby deemed to be a permitted principal use.

(2) Any use or feature in a Neighborhood Commercial District which lawfully existed on the effective date of Ordinance No. 69-87 which is classified as a conditional use by the enactment of Ordinance No. 69-87 is deemed to be a permitted conditional use, subject to the provisions of Section 178 of this Code.

(3) Any use or feature in a Neighborhood Commercial District which lawfully existed on the effective date of Ordinance No. 69-87 and which use or feature is not permitted by the enactment of Ordinance No. 69-87 is hereby deemed to be a nonconforming use subject to the provisions of Section 180 through 186.1 of this Code.

(4) Any use or feature in a Neighborhood Commercial District which was nonconforming under Section 180 of this Code prior to the effective date of Ordinance No. 69-87, which is classified as a principal use by the enactment of Ordinance No. 69-87, is deemed to be a permitted principal use.

(5) Any use or feature in a Neighborhood Commercial District which was nonconforming under Section 180 of this Code prior to the effective date of Ordinance No. 69-87, which is classified as a conditional use by the enactment of Ordinance No. 69-87, is deemed to be a permitted conditional use, subject to the provisions of Section 178 of this Code.

(6) Any use or feature in a Neighborhood Commercial District which was nonconforming under Section 180 of this Code prior to the effective date of Ordinance No. 69-87, which continues to be not permitted by operation of Ordinance No. 69-87, shall still be classified as a nonconforming use subject to the provisions of Section 180 through 183 of this Code.

(7) Any use or feature in a Neighborhood Commercial District which existed on the effective date of Ordinance No. 69-87 but for which the required permits had not been obtained shall be deemed to be a permitted principal use, permitted conditional use, or nonconforming use, only if the use or feature complies with all conditions prescribed in Subsections (b), (c), (d), (e), (f), or (g) below; otherwise the use or feature shall be in violation of this Code subject to the provisions of Section 176 of this Code.

(b) Any use located in a Neighborhood Commercial District, which use existed on the effective date of Ordinance No. 69-87, but for which the required permits had not been obtained, and which use is permitted as a principal use by the enactment of Ordinance No. 69-87, will be deemed to be a permitted principal use if:

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SAN FRANCISCO
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(1) An application is filed for all permits necessary to bring the use into compliance with applicable codes; and

(2) All necessary permits are granted; and

(3) All work which is required for code compliance under all applicable codes is substantially completed.

(c) Any use located in a Neighborhood Commercial District, which use was in existence on the effective date of Ordinance No. 69-87 and was permitted as a principal use at the time the use was established, but for which the required permits had not been obtained, and which use is permitted as a conditional use by the enactment of Ordinance No. 69-87, will be deemed to be a conditional use if:

(1) An application is filed for all permits necessary to bring the use into compliance with applicable codes; and

(2) All necessary permits are granted; and

(3) All work which is required for code compliance under all applicable codes is substantially completed.

(d) ((Any use located in a Neighborhood Commercial District, which use was in existence on the effective date of Ordinance No. 69-87 and was permitted as a principal use at the time the use was established, but for which the required permits had not been obtained, and which use is not permitted by the enactment of Ordinance No. 69-87, will be deemed to be a nonconforming use if:

(1) An application is filed for all permits necessary to bring the use into compliance with applicable codes within three years of the effective date of Ordinance No. 69-87; and

(2) All necessary permits are granted; and

(3) All work which is required for code compliance under all applicable codes is substantially completed.))

Any use located in a Neighborhood Commercial District, which use would have been deemed a permitted principal use at the time it was established but

had not obtained the required permits and was in existence on the effective date of Ordinance No. 69-87, but which use is not a permitted use by the enactment of Ordinance No. 69-87, will be deemed to be a nonconforming use if:

(1) Applications are filed for all permits necessary to bring the use into compliance with applicable codes within three years of the effective date of this amendment to Ordinance No. 69-87; and

(2) All work which is required for code compliance under all applicable codes is completed, including the issuance of a Certificate of Final Completion from the Bureau of Building Inspection, within three years of the effective date of this amendment to Ordinance No. 69-87.

(3) The time for completion of all work required for compliance with all applicable codes may be extended an additional one year should delays be caused by a government agency or by legal action.

(e) Any use located in a Neighborhood Commercial District, which use was in existence on the effective date of Ordinance No. 69-87 and was permitted as a conditional use at the time the use was established, but for which the required permits had not been obtained, and which use is permitted as a conditional use by the enactment of Ordinance No. 69-87, will be deemed to be a conditional use if:

(1) An application for conditional use authorization is filed pursuant to the provisions of Article 3 of this Code and if an application(s) is filed for all other permits necessary to bring the use into compliance with applicable codes; and

(2) The conditional use is authorized and all other necessary permits are granted; and

(3) All work which is required for code compliance under all applicable codes is substantially completed.

(f) ((Any use located in a Neighborhood Commercial District, which use existed on the effective date of Ordinance No. 69-87 and was permitted as a conditional use at the time the use was established, but for which the

required authorization and permits had not been obtained, and which use is not permitted by the enactment of Ordinance No. 69-87, will be deemed to be a nonconforming use if:

(1) An application for conditional use authorization is filed pursuant to the provisions of Article 3 of this Code and if an application(s) is filed for all other permits necessary to bring the use into compliance with applicable codes within three years of the effective date of Ordinance No. 69-87; and

(2) The conditional use is authorized and all other necessary permits are granted; and

(3) All work which is required for code compliance under all applicable codes is substantially completed.))

Any use located in a Neighborhood Commercial District, which use was a conditional use at the time it was established but for which the required Conditional Use authorization and permits had not been obtained and which was in existence on the effective date of Ordinance No. 69-87, will be deemed a nonconforming use if:

(1) An application for Conditional Use authorization is filed pursuant to the provisions of Article 3 of this Code and if an application(s) is/are filed for all other permits necessary to bring the use into compliance with applicable codes within three years of the effective date of this amendment to Ordinance No. 69-87; and

(2) All work which is required for code compliance under all applicable codes is completed within one year of the date of authorization of Conditional Use, but no later than December 31 of the third year of the effective date of this amendment to Ordinance No. 69-87; and

(3) The time for completion of all work required for compliance with all applicable codes may be extended an additional one year should delays be caused by a government agency or by legal action.

(g) Any use located in a Neighborhood Commercial District, which use

existed on the effective date of Ordinance No. 69-87 and was not permitted at the time the use was established, and which use is permitted as a conditional use by the enactment of Ordinance No. 69-87, will be deemed to be a conditional use if:

(1) An application for conditional use authorization is filed pursuant to the provisions of Article 3 of this Code and if an application(s) is filed for all other permits necessary to bring the use into compliance with applicable codes; and

(2) The conditional use is authorized and all other necessary permits are granted; and

(3) All work which is required for code compliance under all applicable codes is substantially completed.

(h) Any use located in a Neighborhood Commercial District, which use existed on the effective date of Ordinance No. 69-87 and was not permitted at the time the use was established, and which use is not permitted by the enactment of Ordinance No. 69-87, shall be in violation of this Code, subject to the provisions of Section 176 of this Code.

Section 2. This Board of Supervisors finds that this legislation is consistent with the eight priority policies contained in City Planning Code Section 101.1 and hereby adopts City Planning Commission Resolution No. 13112 approving findings related to these priority policies of said Section 101.1 of the City Planning Code.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Theodore R. Lakey
Deputy City Attorney

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
January 21, 1992	§	January 27, 1992
	§	
	§	
Ayes: Supervisors Achtenberg Hallinan Hsieh Kennedy Maher Shelley Ward	§	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
	§	
Absent: Supervisors Alioto Britt Gonzalez Migden	§	Absent: Supervisor Britt
	§	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
115-90-4

FEB 03 1992
Date Approved

Frank M. Jordan
Mayor

Amended in Cmte. 1/15/92

FILE NO. 127-91-15 ORDINANCE NO. 38-92

(Enterprise Zone: Business/Payroll Tax Credits)

AMENDING ARTICLE 12-A OF PART III OF SAN FRANCISCO MUNICIPAL CODE (PAYROLL EXPENSE TAX ORDINANCE) BY ADDING SECTION 906A THERETO TO PROVIDE TAX CREDITS FOR PERSONS WHO MAINTAIN A FIXED PLACE OF BUSINESS WITHIN THE SAN FRANCISCO ENTERPRISE ZONE AND WHO CREATE NEW JOBS AND HIRE EMPLOYEES QUALIFIED UNDER SPECIFIED GOVERNMENT JOBS PROGRAMS; AND AMENDING ARTICLE 12-B OF PART III OF THE SAN FRANCISCO MUNICIPAL CODE (BUSINESS TAX ORDINANCE) BY ADDING SECTION 1005.5 THERETO TO PROVIDE CERTAIN TAX CREDITS FOR PERSONS WHO MAINTAIN A FIXED PLACE OF BUSINESS WITHIN THE SAN FRANCISCO ENTERPRISE ZONE AND WHO CREATE NEW JOBS AND HIRE EMPLOYEES QUALIFIED UNDER SPECIFIED GOVERNMENT JOBS PROGRAMS; OPERATIVE DATE.

NOTE: All sections are new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Article 12-A of Part III of the Municipal Code (Payroll Expense Tax Ordinance) is hereby amended by adding Section 906A thereof to read as follows:

SEC. 906A. ENTERPRISE ZONE TAX CREDIT.

(a) A credit against this tax shall be allowed for each person who maintains a fixed place of business within the San Francisco Enterprise Zone and who, on or after January 1, 1992, creates one or more new jobs and hires employees who qualify under subsection (b) of this section; provided, however, that in no event shall the tax credit reduce a person's tax liability to less than zero. Moreover, the tax credits shall only serve as an offset against the additional tax that would be paid as a result of additional hiring by a business within the zone. Each person claiming this credit shall file with the Tax Collector, on a form prescribed by the Tax Collector, an affidavit attesting to facts establishing his or her entitlement to the tax credit; said affidavit shall be supported by state tax credit forms (EDD, DSS and PIC).

1/15/92 BT

(b) An employee is a qualified employee for purposes of computing this tax credit if he or she is newly hired by the taxpayer on or after January 1, 1992 and either (1) is receiving subsidized employment training or services under the terms of the Federal Job Training Partnership Act (JTPA); or (2) is registered in the Greater Avenues for Independence (GAIN) Program; or (3) is certified by the Employment Development Department as eligible for the federal Targeted Jobs Tax Credit Program (TJTC); or (4) General Assistance recipients.

(c) The tax credit, for each qualified employee, shall be a varying percentage of the additional tax that would be incurred as a result of additional wages paid for work performed within the Enterprise Zone, and the dollar amount of such tax credit shall depend both upon the duration of employment as of the date payroll taxes are due, and the eligible wages paid, as follows:

1/15/92 BT

(1) The eligible wages to which the percentage is applied shall be limited to wages paid for work performed by the qualified employee while physically present within San Francisco.

(2) The percentage to be applied to eligible wages shall depend upon the employee's duration of employment as follows:

Duration of Employment	Credit Allowed On Payroll Tax Liability
First 12 Months	50%
Second 12 Months	40%
Third 12 Months	30%
Fourth 12 Months	20%
Fifth 12 Months	10%
After 60 Months	0%

Section 2. Article 12-B of Part III of the San Francisco Municipal Code (Business Tax Ordinance) is hereby amended by adding Section 1005.5 thereto, to read as follows:

SEC. 1005.5. ENTERPRISE ZONE TAX CREDIT.

(a) A credit against this tax shall be allowed for each person who maintains a fixed place of business within the San

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Francisco Enterprise Zone and who, on or after January 1, 1992, creates one or more new jobs and hires employees who qualify under subsection (b) of this section; provided, however, that in no event shall the tax credit reduce a person's tax liability to less than zero. Each person claiming this credit shall file with the Tax Collector, on a form prescribed by the Tax Collector, an affidavit attesting to facts establishing his or her entitlement to the tax credit; said affidavit shall be supported by state tax credit forms (EDD, DSS and PIC).

(b) An employee is a qualified employee for purposes of computing this tax credit if he or she is newly hired by the taxpayer on or after January 1, 1992 and either (1) is receiving subsidized employment training or services under the terms of the Federal Job Training Partnership Act (JTPA); or (2) is registered in the Greater Avenues for Independence (GAIN) Program; or (3) is certified by the Employment Development Department as eligible for the federal Targeted Jobs Tax Credit Program (TJTC); or (4) General Assistance recipients.

(c) The tax credit, for each qualified employee, shall be a varying percentage of wages paid for work performed within the Enterprise Zone, and the dollar amount of such tax credit shall depend both upon the duration of employment as of the date the gross receipts taxes are due, and the eligible wages paid, as follows:

(1) The eligible wages to which the percentage is applied shall be limited to wages paid for work performed by the qualified employee while physically present within San Francisco.

(2) The percentage to be applied to eligible wages shall depend upon the employee's duration of employment as follows:

/ / /

/ /

Duration of Employment	Credit Allowed On Gross Receipts Tax Liability
First 12 Months	50%
Second 12 Months	40%
Third 12 Months	30%
Fourth 12 Months	20%
Fifth 12 Months	10%
After 60 Months	0%

1/15/92
BT

~~Section 2. Article 12-B of Part III of the San Francisco Municipal Code (Business Tax Ordinance) is hereby amended by adding Section 1005.5 thereto, to read as follows:~~

Section 3. This ordinance shall become effective upon passage, as provided in Section 2.304 of the Charter, except that the changes in fees and taxes provided for herein shall become operative on January 1, 1992, and shall not apply prior to said date.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: JOHN J. DOHERTY
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
January 21, 1992	§	January 27, 1992
Ayes: Supervisors Achtenberg Hallinan Hsieh Kennedy Maher Shelley Ward	§	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisors Alioto Britt Gonzalez Migden	§	Absent: Supervisor Britt

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
127-91-15

FEB 03 1992
Date Approved

Frank M. Jordan
Mayor

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Amendment of the Whole 1/15/92

FILE NO. 101-91-42

ORDINANCE NO. 39-92

RO# 91133 SA# 55

(GOVERNMENT FUNDING)

APPROPRIATING $1,733,764 FOR OTHER CONTRACTUAL SERVICES, SERVICES OF OTHER DEPARTMENTS - CONTROLLER-DATA PROCESSING AND NON-WORK ORDER SERVICES OF OTHER DEPARTMENTS - CITY ATTORNEY, RETIREMENT SYSTEM FOR FISCAL YEAR 1991-92, PROVIDING RATIFICATION OF ACTIONS PREVIOUSLY TAKEN; RESERVING $52,500.

Be it ordained by the People of the City and county of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1991-92 as follows:

Department And Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
24-061	Employee Retirement Trust Fund		
G.L. 301 (030346)	Unreserved Fund Balance	$1,733,764	
44-01-00	Retirement System		
Project 011-01	Early Retirement Program		
10-1090 (379214)	Other Contractual Services		$1,688,764
30-3400	Services of Other Departments Controller - Data Processing		35,000
41-4200	Non-Work Order Services Of Other Departments - City Attorney		10,000
	TOTAL	$1,733,764	$1,733,764

Section 2. Although the City has incurred no legal obligation, the Board of Supervisors does hereby ratify the actions previously taken.

Section 3. Funds in amount of $52,500 are held in reserve pending release by the Finance Committee when final determination is made of difference between 1-1/4 and 1-1/2 hours of interview time.

Approved As To Form:
Louise H. Renne, City Attorney

By: _____
Deputy City Attorney

Funds Available:

_____
Controller

Emle.22

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
January 21, 1992	January 27, 1992
Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Shelley Ward	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Shelley Ward
Noes: Supervisors Hsieh Kennedy Maher Migden	Noes: Supervisors Hsieh Kennedy Maher Migden
Absent: Supervisor Britt	Absent: Supervisor Britt

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-91-42

FEB 0 6 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 27-91-8 ORDINANCE NO. 40-92

(Airport - Lease Modification)

APPROVING MODIFICATION TO THE LEASE FOR OPERATION OF CAFETERIAS, COFFEE SHOPS, BARS, AND RESTAURANTS IN THE TERMINAL BUILDINGS AND IN-FLIGHT KITCHEN AND COMMISSARY BUILDING AT SAN FRANCISCO INTERNATIONAL AIRPORT BETWEEN HOST INTERNATIONAL, INC. AND CITY AND COUNTY OF SAN FRANCISCO, ACTING BY AND THROUGH ITS AIRPORTS COMMISSION.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Pursuant to Section 7.402-1 of the Charter, the Board of Supervisors hereby approves the Modification to the Lease No. 75-0112 for Operation of Cafeterias, Coffee Shops, Bars and Restaurants in the Terminal Buildings and In-Flight Kitchen and Commissary Building at San Francisco International Airport between Host International, Inc. and the City and County of San Francisco, acting by and through its Airports Commission, copies of which modification are contained in Board of Supervisors File Number 27-91-8.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By Gretchen Nicholas
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
January 21, 1992	January 27, 1992
Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward	Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisor Britt	Absent: Supervisors Alioto Britt

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 27-91-8

FEB 0 6 1992
Date Approved

Frank M. Jordan
Mayor

DOCUMENTS DEPT.
FEB 1 9 1992

FILE NO. 115-91-12 ORDINANCE NO. 41-92

(PLANNING FEES)

AMENDING PART II, CHAPTER II OF THE SAN FRANCISCO MUNICIPAL CODE (CITY PLANNING CODE) BY ADDING NEW SECTION 366 AND RENUMBERING SECTIONS 366, 367, 368 OF ARTICLE 3.5A AND ADDING NEW SECTION 364, AND RENUMBERING SECTION 364 OF ARTICLE 3.5 TO IMPOSE NEW FEES FOR REVIEWING APPLICATIONS RELATING TO EXTENSION OF DEADLINE TO COMPLY WITH PROVISIONS OF SECTION 179 (d) AND SECTION 179 (f), OF THE PLANNING CODE.

NOTE: Additions are underlined; deletions are in ((double parentheses)).

Be it ordained by the people of the City and County of San Francisco:

Section 1. Part II, Chapter II, Article 3, of the San Francisco Municipal Code (City Planning Code) is hereby amended by adding new Section 366 and renumbering Sections 366, 367, 368 of Article 3.5A and adding new Section 364 and renumbering Section 364 of Article 3.5 to read as follows:

ARTICLE 3.5A

Sec. 366. FEE FOR REVIEWING APPLICATIONS RELATING TO EXTENSION OF DEADLINE TO COMPLY WITH PROVISIONS OF SECTION 179 (d) AND SECTION 179 (f).

In order to compensate the Department of City Planning for the cost of reviewing projects relating to extension of deadline to comply with provisions of Section 179 (d) and Section 179 (f), the Department shall charge and collect the following fees at time of application.

(a) For an application for a building permit the fee shall be $1545 in addition to the fee established under Sec. 352:

(b) For an Application for a conditional use permit the fee shall be $985 in addition to the fee established under Sec. 351.

Sec. 367.((366.)) TEMPORARY SURCHARGES ON PLANNING FEES.

(a) For each class of permit, filing or request listed in Sections 351 through 359 and Sections 361 through 364 above, a two and one-half percent surcharge shall be added to the filing fee to enable the Department of City Planning to recover the initial costs incurred by the Department in developing and implementing the hardware and software systems required to computerize activities associated with the Department's processing of permit applications. This surcharge shall remain in effect until such time as these costs have been recovered or for a period not to exceed two years, from the effective date of this Section.

(b) For each class of permit, filing or request listed in Sections 351 through 359 and Sections 361 through 364 above, a five and four-tenths percent surcharge shall be added to the filing fee to enable the Department of City Planning to recover those first-year costs incurred by the Department in computerizing activities associated with its processing of permit applications, including the costs of a consultant, property information database development and other time and materials costs unrelated to the hardware and software systems referred to in subsection (a) above. This surcharge shall remain in effect for a period of one year from the effective date of this section.

Sec. 368.((367.)) FEE FOR MAINTAINING AND UPDATING PERMIT PROCESSING COMPUTER SYSTEM. For each class of permit, filing or request listed in Sections 351 through 359 and Sections 361 through 364 above, the Department of City Planning shall charge and collect at the time of filing of the application an additional fee of eight and six-tenths percent of the original fee in order to compensate the Department of City Planning for the costs directly related to maintaining its permit processing computer system and for updating the property information data base used by the Department in activities associated with processing permit applications.

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SEC. 369.((368.)) PERIOD ARTICLE IS OPERATIVE. THIS ARTICLE IS OPERATIVE EFFECTIVE JULY 1, 1991 THROUGH DECEMBER 31, 1993. This Article is repealed as of January 1, 1994 unless a later enacted ordinance extends the operative period.

These amendments to fees related to the Department of City Planning are intended to provide revenues for the increased staffing and other support necessary to provide more timely processing of applications within that Department.

The City Planning Commission shall conduct a public hearing at the end of Fiscal Year 1992-1993 to review the level of service provided by the Department of City Planning in providing improved application processing as contemplated under this ordinance. The Commission shall determine at that time whether to initiate an ordinance to extend or to otherwise modify those amendments to fees related to the Department of City Planning that are contained within this ordinance. The Commission shall provide a report and appropriate recommendations to the Board of Supervisors within one month of the close of its public hearing.

ARTICLE 3.5

SEC. 364. FEE FOR REVIEWING APPLICATIONS RELATING TO EXTENSION OF DEADLINE TO COMPLY WITH PROVISIONS OF SECTION 179 (d) AND SECTION 179 (f). In order to compensate the Department of City Planning for the cost of reviewing projects relating to extension of deadline to comply with provisions of Section 179 (d) and Section 179 (f), the Department shall charge and collect the following fees at time of application:

(a) For an application for a building permit the fee shall be $1545 in addition to the fee established under Sec. 352:

(b) For an application for a conditional use permit the fee shall be $985 in addition to the fee established under Sec. 351.

Sec.365. ((364.)) OPERATIVE DATE. Article 3.5 shall become operative January 1, 1994.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By _____
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
January 21, 1992	§	January 27, 1992
	§	
	§	
Ayes: Supervisors Achtenberg Hallinan Kennedy Maher Shelley Ward	§	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Kennedy Maher Migden Shelley Ward
	§	
Noes: Supervisor Hsieh	§	Noes: Supervisor Hsieh
	§	
Absent: Supervisors Alioto Britt Gonzalez Migden	§	Absent: Supervisor Britt
	§	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
115-91-12

FEB 07 1992
Date Approved

Frank M. Jordan
Mayor

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FILE NO. 27-91-9 ORDINANCE NO. 42-92

(Airport - Lease Modification)

APPROVING MODIFICATION OF THE SOUTH TERMINAL PRINCIPAL CONCESSION LEASE AND AGREEMENT FOR RETAIL MERCHANDISING SALES BETWEEN HOST INTERNATIONAL, INC. AND CITY AND COUNTY OF SAN FRANCISCO, ACTING BY AND THROUGH ITS AIRPORTS COMMISSION.

Be it ordained by the People of the City and County of San Francisco:

SECTION 1. Pursuant to Section 7.402-1 of the Charter, the Board of Supervisors hereby approves Modification of the South Terminal Principal Concession Lease and Agreement for Retail Merchandising Sales between Host International, Inc. and the City and County of San Francisco, acting by and through its Airports Commission, copies of which Modification are contained in Board of Supervisors' file number 27-91-9.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By _____
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
January 27, 1992	February 3, 1992
Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward	Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisor Britt	Absent: Supervisors Alioto Britt Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No.
27-91-9

FEB 14 1992
Date Approved

_____
Mayor

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FILE NO. 97-91-61 ORDINANCE NO. 43-92

[Revolving Fund]

AMENDING SECTION 10.169-5 OF THE SAN FRANCISCO ADMINISTRATIVE CODE TO INCREASE CASH REVOLVING FUND FOR THE SAN FRANCISCO WAR MEMORIAL TO $4,000.00

Note: Additions or substitutions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Section 10.169-5 of the San Francisco Administrative Code is hereby amended to read as follows:

Section 10.169-5. ((Same)) CASH REVOLVING FUNDS--SAN FRANCISCO WAR MEMORIAL: ((($2,000.00)) $4,000.00.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: _____
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
January 27, 1992	February 3, 1992
Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward	Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisor Britt	Absent: Supervisors Alioto Britt Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No. 97-91-61

FEB 14 1992
Date Approved

Mayor

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FILE NO. 101-91-36 ORDINANCE NO. 344-92

RO# 91122 SA# 51

APPROPRIATING $260,001,377 FOR PROGRAM PROJECT BUDGET, BOND REDEMPTION, CAPITAL IMPROVEMENT PROJECT (GROUNDSIDE IMPROVEMENTS), DEBT SERVICE AND PROFESSIONAL AND SPECIAL SERVICES, RESCINDING $12,000,000 FROM VARIOUS CAPITAL IMPROVEMENT PROJECT, AIRPORT COMMISSION FOR FISCAL YEAR 1991-92.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for fiscal Year 1991-92 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
30-700	Airport - Capital Improvement Project		
Project 700-01	Passenger Terminal Improvements		
20-2030 (570614)	Capital Improvement Project	$3,000,000	
Project 750-01	Groundside Improvements		
20-2030 (570614)	Capital Improvement Project		$1,021,425
Project 925-01	Airfield Support		
20-2030 (570614)	Capital Improvement Project	4,000,000	
Project 616-99	Groundside Improvements		
99-9990 (161943)	Revenue Transfer in from #30-001, Airport Operating Fund; 27-00-00	6,021,425	
Project 700-98	Passenger Terminal Improvements		
49-4900 (912709)	Revenue Transfer out to #30-520, Airport Contingency Fund, 27-00-00		3,000,000

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
Project 750-98	Groundside Improvements		
49-4900 (912717)	Revenue Transfer out to #30-520, Airport Contingency Fund; 27-00-00		5,000,000
Project 925-98	Revenue Transfer out to #30520, Airport Contingency Fund; 27-00-00		4,000,000
	TOTAL	$13,021,425	$13,021,425
30-520	Airport - Contingency Fund		
Project 001-90	Passenger Terminal Improvements		
99-9990 (232280)	Revenue Transfer in from #30-700, Airport - CIP; 27-00-00	$3,000,000	
Project 001-91	Groundside Improvements		
99-9990 (232298)	Revenue Transfer in from #30-700, Airport - CIP; 27-00-00	5,000,000	
Project 001-92	Airfield Support		
99-9990 (232306)	Revenue Transfer in from #30-700 Airport - CIP; 27-00-00	4,000,000	
Project 001-01	Airport Contingency Account		
20-2010 (574012)	Program Project Budget		$12,000,000
	TOTAL - Fund 30-520	$12,000,000	$12,000,000
30-869	1975 Airport Revenue Bond Fund		
Project 050-01	Revenue Reserve Payment		
40-4020 (327619)	Bond Reserve Payment	$11,918,527	

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
Project 010-01	Bond Redemption		
40-4000 (327619)	Bond Redemption		$11,918,527
30-872	1981 Airport Revenue Bond Fund		
Project 050-01	Revenue Bond Reserve Payment		
40-4020 (573964)	Bond Reserve Payment	$6,021,425	
Project 010-01	Revenue Bond Reserve Payment		
40-4000 (573964)	Bond Redemption		$6,021,425
30-890	Refunding Bond Series - Issue I		
Project 001-01	Proceeds - Refunding Bonds		
55-5500 (056820)	Proceeds - Sale of Bonds	$224,040,000	
Project 010-01	Deposit Refunding Escrow		
40-4000 (574020)	Bond Redemption		$202,690,000
Project 050-01	Debt Service Reserve Fund		
40-4020 (574020)	Bond Reserve Payment		20,500,000
Project 075-01	Professional and Special Services		
10-1000 (574020)	Professional and Special Services		850,000
	Total - Fund 30-890	**$224,040,000**	**$224,040,000**

Approved as to Form:
Louise H. Renne, City Attorney

By: _____
Deputy City Attorney

Funds Available:

_____
Controller

Ernlo.13

Board of Supervisors, San Francisco

assed for Second Reading	§ Finally Passed
	§
anuary 27, 1992	§ February 3, 1992
	§
	§
yes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward	§ Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
	§
bsent: Supervisor Britt	§ Absent: Supervisors Alioto Britt Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

ile No.
01-91-36

FEB 14 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 101-91-37

ORDINANCE NO. 45-92

RO# 91125 SA# 38

(GOVERNMENT FUNDING)

APPROPRIATING $660,000 FOR OTHER FRINGE BENEFITS, MUNICIPAL RAILWAY FOR FISCAL YEAR 1991-92.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1991-1992 as follows:

Department And Number	Source of Funds and Purpose of Appropriation	AMOUNT Debit	AMOUNT Credit
01-001	General Fund		
G.L. 496 (000026)	Unappropriated Revenue Reserve		
Subsidiary 000006	General Reserved	$660,000	
48-4700 (841601)	Contribution Transfer out to #31-001, Municipal Railway Operating Fund; 35-01-00		$660,000
31-001	Municpal Railway Operating Fund		
98-9701 (196113)	Contribution Transfer in from #01-001, General Fund Unallocated; 99-00-00	$660,000	
35-01-00	Municipal Railway - Operation		
06-0700 (560664)	Other Fringe Benefits		$660,000

Approved As To Form:
Louise H. Renne - City Attorney

BY: _____
Deputy City Attorney

Funds Available

_____
Controller

Emle.20

Board of Supervisors, San Francisco

Passed for Second Reading

January 27, 1992

Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward

Absent: Supervisor Britt

Finally Passed

February 3, 1992

Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward

Absent: Supervisors Alioto Britt Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No. 101-91-37

FEB 14 1992
Date Approved

_____
Mayor

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Amended in Committee 1/22/92.

FILE NO. 101-91-38

ORDINANCE NO. 46-92

RO# 91126 SA# 30

1/22/92

Appropriating $4,015,003 for various capital improvement project, placing ~~$1,374,805~~ $1,529,805 on reserve, Public Library for Fiscal Year 1991-1992.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1991-92 as follows:

Department And Number	Source of Funds and Purpose of Appropriation	AMOUNT Debit	AMOUNT Credit
05-611	1988 Library Improvement Bond Fund		
55-5500 (052795)	Proceeds - Sale of Bonds	$4,015,003	
41-00-00	Public Library		
Project 001-01	Miscellaneous Project Services		
20-2030 (615351)	Capital Improvement Project		$793,045
Project 100-01	New Main Library		
20-2030 (615351)	Capital Improvement Project		3,221,958
	TOTAL	$4,015,003	$4,015,003

1/22/92 BT

Section 2. Funds in the amount of ~~$1,374,805~~ $1,529,805 are hereby placed on reserve; $335,392 for salaries pending Civil Services Salary Standardization for Fiscal Year 1992-93 and Fiscal Year 1993-94 on project 001-01, $1,010,000 pending construction costs, $16,818 for salaries pending Civil Service Salary Standardization for Fiscal Year 1992-93 and Fiscal Year 1993-94 and $12,595 pending expenditure details on project 100-01, $35,000 archaeological services consultant, $120,000 geotechnical services consultant pending MBE/WBE status of the consultants and finalized cost details.

1/22/92 BT

Approved As to Form:
Louise H. Renne, City Attorney

Funds Available:

By: _____ Deputy City Attorney

_____ Controller

Ernie.16

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
January 27, 1992	February 3, 1992
Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward	Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisor Britt	Absent: Supervisors Alioto Britt Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-91-38

FEB 14 1992
Date Approved

Frank M. Jordan
Mayor

Amendment of the Whole
12/17/91

FILE NO. 115-91-11 (Hotel and Motel Impacts) ORDINANCE NO. 97-92

AMENDING PART II, CHAPTER II OF THE SAN FRANCISCO MUNICIPAL CODE (PLANNING CODE) BY AMENDING SECTIONS 209.2 AND 216 THEREOF TO REQUIRE ALL PROPOSED TOURIST HOTEL AND MOTEL DEVELOPMENT PROJECTS TO OBTAIN A CONDITIONAL USE PERMIT AND AMENDING SECTION 303 THEREOF TO REQUIRE THE PLANNING COMMISSION, IN DETERMINING WHETHER TO GRANT A CONDITIONAL USE PERMIT FOR A TOURIST HOTEL OR MOTEL, TO CONSIDER THE IMPACTS OF THE WORKFORCE OF THE PROPOSED HOTEL OR MOTEL ON THE DEMAND FOR HOUSING, TRANSIT, EMPLOYMENT, AND CHILDCARE, AND THE MARKET DEMAND FOR THE HOTEL OR MOTEL, EXCEPTING THEREFROM THE IMPACTS OF THE WORKFORCE ON HOUSING OF CERTAIN PROJECTS WITHIN THE JURISDICTION OF THE SAN FRANCSICO PORT COMMISSION AND EXCEPTING RESIDENTIAL HOTELS FILING FOR CONVERSION TO TOURIST USE PRIOR TO JUNE 1, 1991, AND ADOPTING THE CITY PLANNING COMMISSION'S FINDINGS WITH RESPECT TO THE EIGHT PRIORITY POLICIES OF CITY PLANNING CODE SECTION 101.1.

NOTE: Additions are <u>underlined</u>

Be it ordained by the people of the City and County of San Francisco:

Section 1: Amending Part II, Chapter II of the San Francisco Municipal Code (Planning Code) by amending Section 209.2 thereof, so that the tables therein read as follows:

RH-1(D)	RH-1	RH-1(S)	RM-1	RM-2	RM-3	RM-4	RC-1	RC-2	RC-3	RC-4	NC-1	NC-2
			c	c	p	p	p	p	p	p	p	p

SEC. 209.2. OTHER HOUSING.

(a) Group housing, boarding: providing lodging or both meals and lodging, without individual cooking facilities, by prearrangement for a week or more at a time and housing six or more persons in a space not defined by this Code as a dwelling unit. Such group housing shall include but not necessarily be limited to a boarding house, guest house, rooming house, lodging house, residence club, commune, fraternity and sorority house but shall not include group housing for religious orders or group housing for medical and educational institutions, whether on a separate lot or part of an institution, as defined and regulated by this Code. The density limitations for group housing, by district, shall be as set forth in Section 208 of this Code.

RH-1(D)	RH-1	RH-1(S)	RM-1	RM-2	RM-3	RM-4	RC-1	RC-2	RC-3	RC-4	NC-1	NC-2
			c	c	p	p	p	p	p	p	p	p

(b) Group housing, religious orders; providing lodging or both meals and lodging, without individual cooking facilities, by prearrangement for a week or more at a time and housing six or more persons in a space not defined by this Code as a dwelling unit, where such housing is for members of a religious order calling for collective work or worship and is not defined as, or on the same lot as, a religious institution as defined and regulated by Section 209.3(j) of this Code. Such housing shall include but not necessarily be limited to a monastery, nunnery, convent and ashram. The density limitations for group housing, by district, shall be as set forth in Section 208 of this Code.

RH-1(D)	RH-1	RH-1(S)	RM-1	RM-2	RM-3	RM-4	RC-1	RC-2	RC-3	RC-4	NC-1	NC-2
			c	c	c	c	c	c	c	c	c	c

(c) Group housing, medical and educational institutions: providing lodging or both meals and lodging,

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			c	c	c	c	c	c	c	c	c	c
									c	c	c	c

without individual cooking facilities, by prearrangement for a week or more at a time and housing six or more persons in a space not defined by this Code as a dwelling unit, where such facility is affiliated with and operated by a medical or educational institution as defined and regulated by Sections 209.3(a), (g), (h) and (i) of this Code but not located on the same lot as such institution and not used for inpatient care. Such housing shall meet the applicable provisions of Section 304.5 of this Code concerning institutional master plans. The density limitations for group housing, by district, shall be as set forth in Section 208 of this Code.

(d) Hotel, inn or hostel containing no more than five rooms or suites of rooms, none with individual cooking facilities, which are offered for compensation and are primarily for the accommodation of transient overnight guests. A hotel, inn or hostel shall not include a motel as defined and regulated by Section 216(c) of this Code.

(e) Hotel, inn or hostel as specified in Subsection 209.2(d) above but with six or more guest rooms or suites.

Section 2: Amending Part II, Chapter II of the San Francisco Municipal Code (Planning Code) by amending Section 216 thereof, so that the tables therein read as follows:

p	p	p	p	p	p	p	c	c

SEC. 216. OTHER HOUSING. (a) Group housing, providing lodging or both meals and lodging, without individual cooking facilities, by prearrangement for a week or more at a time, in a space not defined by this Code as a dwelling unit. Such group housing shall include but not necessarily be limited to a boarding house, guest house, rooming house, lodging house, residence club, commune, fraternity or sorority house, monastery, nunnery, convent or ashram. It shall also include group housing affiliated with and operated by a medical or educational institution, when not located on the same lot as such institution, which shall meet the applicable provisions of Section 304.5 of this Code concerning institutional master plans. The density limitations for all group housing described in this subsection shall be based upon the density limi- tations for group housing in the nearest R district, following the same rules as those set forth in Section 215(a) of this Code for dwelling unit densities in C and M districts.

(b) Hotel, inn or hostel containing rooms or suites of rooms, none with individual

C	C	C	C	C	C	C	C	C
C	C	C	C	C	C	C	C	C
C	NA			NA	NA	NA	NA	NA
	C			C	C	C	C	C

cooking facilities, which are offered for compensation and are primarily for the accommodation of transient overnight guests. A hotel, inn or hostel shall not include a motel as described in Subsection 216(c) below:

(i) 200 rooms or less.

(ii) More than 200 rooms.

(c) Motel, including an auto court, motor lodge, tourist court or other facility similarly identified, containing rooms or suites of rooms, none with individual cooking facilities, which are offered for compensation and are primarily for the accommodation of transient guests traveling by automobile, and where each sleeping unit is independently accessible from the outside; provided, that the entrance to such motel is within 200 feet of and immediately accessible from a major thoroughfare as designated in the Master Plan.

(d) Motel, as described in Subsection 216(c) above but without restriction as to location of its entrance.

Section 3: Amending Part II, Chapter II of the San Francisco Municipal Code (Planning Code) by amending Section 303 thereof, to read as follows:

SEC. 303. CONDITIONAL USES. (a) General. The City Planning Commission shall hear and make determinations regarding applications for the authorization of conditional uses in the

specific situations in which such authorization is provided for elsewhere in this Code. The procedures for conditional uses shall be as specified in this Section and in Sections 306 through 306.6, except that Planned Unit Developments shall in addition be subject to Section 304, medical institutions and post-secondary educational institutions shall in addition be subject to the institutional master plan requirements of Section 304.5, and conditional use and Planned Unit Development applications filed pursuant to Article 7, or otherwise required by this Code for uses or features in Neighborhood Commercial Districts, and conditional use applications within South of Market Districts, shall be subject to the provisions set forth in Sections 316 through 316.8 of this Code, in lieu of those provided for in Sections 306.2 and 306.3 of this Code, with respect to scheduling and notice of hearings, and in addition to those provided for in Sections 306.4 and 306.5 of this Code, with respect to conduct of hearings and reconsideration.

(b) Initiation. A conditional use action may be initiated by application of the owner, or authorized agent for the owner, of the property for which the conditional use is sought.

(c) Determination. After its hearing on the application, or upon the recommendation of the Director of Planning if the application is filed pursuant to Sections 316 through 316.8 of this Code and no hearing is required, the City Planning Commission shall approve the application and authorize a conditional use if the facts presented are such to establish:

(1) That the proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable for, and compatible

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with, the neighborhood or the community; and

(2) That such use or feature as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:

(A) The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

(B) The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

(C) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

(D) Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs; and

(3) That such use or feature as proposed will comply with the applicable provisions of this Code and will not adversely affect the Master Plan; and

(4) With respect to applications filed pursuant to Article 7 of this Code, that such use or feature as proposed will provide development that is in conformity with the stated purpose of the applicable Neighborhood Commercial District, as set forth in zoning control category .1 of Sections 710 through 729 of this Code; and

(5)(A) With respect to applications filed pursuant to Article 7, Section 703.2(a), zoning categories .46, .47, and .48, in lieu of the criteria set forth above in Section 303(c)(1--4),

that such use or feature will:

(i) Not be located within 1000 feet of another such use, if the proposed use or feature is included in zoning category .47, as defined by Section 790.36 of this Code; and/or

(ii) Not be open between two a.m. and six a.m.; and

(iii) Not use electronic amplification between midnight and six a.m.; and

(iv) Be adequately soundproofed or insulated for noise and operated so that incidental noise shall not be audible beyond the premises or in other sections of the building and fixed source equipment noise shall not exceed the decibel levels specified in the San Francisco Noise Control Ordinance.

(B) Notwithstanding the above, the City Planning Commission may authorize a conditional use which does not satisfy the criteria set forth in (5)(A)(ii) and/or (5)(A)(iii) above, if facts presented are such to establish that the use will be operated in such a way as to minimize disruption to residences in and around the district with respect to noise and crowd control.

(6) With respect to applications for live/work units in RH and RM Districts filed pursuant to Section 209.9(f) or 209.9(h) of this Code, that:

(A) Each live/work unit is within a building envelope in existence on the effective date of Ordinance No. 412-88 (effective October 10, 1988) and also within a portion of the building which lawfully contains at the time of application a nonconforming, nonresidential use;

(B) There shall be no more than one live/work unit for each 1,000 gross square feet of floor area devoted to live/work units within the subject structure; and

(C) The project sponsor will provide any off-street

parking, in addition to that otherwise required by this Code, needed to satisfy the reasonably anticipated auto usage by residents of and visitors to the project.

Such action of the City Planning Commission, in either approving or disapproving the application, shall be final except upon the filing of a valid appeal to the Board of Supervisors as provided in Section 308.1.

(d) Conditions. When authorizing a conditional use as provided herein, the City Planning Commission, or the Board of Supervisors on appeal, shall prescribe such additional conditions, beyond those specified in this Code, as are in its opinion necessary to secure the objectives of the Code. Once any portion of the conditional use authorization is utilized, all such conditions pertaining to such authorization shall become immediately operative. The violation of any condition so imposed shall constitute a violation of this Code and may constitute grounds for revocation of the conditional use authorization. Such conditions may include time limits for exercise of the conditional use authorization; otherwise, any exercise of such authorization must commence within a reasonable time.

(e) Modification of Conditions. Authorization of a change in any condition previously imposed in the authorization of a conditional use shall be subject to the same procedures as a new conditional use. Such procedures shall also apply to applications for modification or waiver of conditions set forth in prior stipulations and covenants relative thereto continued in effect by the provisions of Section 174 of this Code.

(f) Hotels and Motels. (1) With respect to applications for development of tourist hotels and motels, the Planning Commission shall consider, in addition to the criteria

set forth in Subsections (c) and (d) above:

(A) The impact of the employees of the hotel or motel on the demand in the City for housing, public transit, childcare, and other social services. To the extent relevant, the Commission shall also consider the seasonal and part-time nature of employment in the hotel or motel;

(B) The measures that will be taken by the project sponsor to employ residents of San Francisco in order to minimize increased demand for regional transportation; and

(C) The market demand for a hotel or motel of the type proposed.

(2) Notwithstanding the provisions of Subsection (f)(1) above, the Planning Commission shall not consider the impact of the employees of a proposed hotel or motel project on the demand in the City for housing where:

(A) The proposed project would be located on property under the jurisdiction of the San Francisco Port Commission; and

(B) The sponsor of the proposed project has been granted exclusive rights to propose the project by the San Francisco Port Commission prior to June 1, 1991.

(3) Notwithstanding the provisions of Subsection (f)(1) above, with respect to the conversion of residential units to tourist hotel or motel use pursuant to an application filed on or before June 1, 1990 under the provisions of Chapter 41 of the San Francisco Administrative Code, the Planning Commission shall not consider the criteria contained in Subsection (f)(1) above; provided, however, that the Planning Commission shall consider the criteria contained in Subsection (f)(1)(B) at a separate public hearing if the applicant applies for a permit for new construction or alteration where the cost of such construction or

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alteration exceeds $100,000. Furthermore, no change in classification from principal permitted use to conditional use in Section 216(b)(i) of this Code shall apply to hotels or motels that have filed applications on or before June 1, 1990 to convert residential units to tourist units pursuant to Chapter 41 of the San Francisco Administrative Code.

Section 4: The Board of Supervisors adopts as its own the findings of the City Planning Commission in its Resolution No. 13203 adopted on November 4, 1991 that this proposed ordinance complies with the eight priority policies of Planning Code Section 101.1.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By Andrea W. Schwartz
Deputy City Attorney

RECOMMENDED:

By _____
Dean Macris
Director of Planning

9866j

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
January 27, 1992	February 3, 1992
Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Kennedy Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Kennedy Maher Migden Shelley Ward
Noes: Supervisors Hsieh Maher	Noes: Supervisor Hsieh
Absent: Supervisor Britt	Absent: Supervisor Britt

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

John L. Taylor
Clerk

File No.
115-91-11

FEB 14 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 60-92-1 ORDINANCE NO. 48-92

(Special Election)

CALLING AND PROVIDING FOR A SPECIAL ELECTION TO BE HELD IN THE CITY AND COUNTY OF SAN FRANCISCO ON TUESDAY, JUNE 2, 1992, FOR THE PURPOSE OF SUBMITTING TO THE VOTERS OF THE CITY AND COUNTY OF SAN FRANCISCO PROPOSITIONS TO INCUR THE FOLLOWING BONDED DEBTS OF THE CITY AND COUNTY FOR THE ACQUISITION, CONSTRUCTION OR COMPLETION BY THE CITY AND COUNTY OF SAN FRANCISCO OF THE FOLLOWING MUNICIPAL IMPROVEMENTS, TO WIT: TWENTY-SIX MILLION SEVEN HUNDRED THOUSAND DOLLARS ($26,700,000) FOR IMPROVEMENTS TO THE CIVIC CENTER PLAZA AND FULTON STREET MALL; TWENTY-ONE MILLION TWO HUNDRED TWENTY THOUSAND DOLLARS ($21,220,000) TO IMPROVE THE HEATING SYSTEM WITHIN THE CIVIC CENTER AREA; TWENTY-FOUR MILLION DOLLARS ($24,000,000) FOR THE ENLARGEMENT OF THE EXISTING CIVIC CENTER PARKING GARAGE OR CONSTRUCTION OF A PARKING GARAGE ADJACENT THERETO; SEVENTY-SIX MILLION THREE HUNDRED THOUSAND DOLLARS ($76,300,000) FOR CONSTRUCTION OR RECONSTRUCTION OF IMPROVEMENTS TO GOLDEN GATE PARK; AND THAT THE ESTIMATED COST OF SAID MUNICIPAL IMPROVEMENTS IS AND WILL BE TOO GREAT TO BE PAID OUT OF THE ORDINARY ANNUAL INCOME AND REVENUE OF THE CITY AND COUNTY AND WILL REQUIRE EXPENDITURES GREATER THAN THE AMOUNT ALLOWED THEREFOR BY THE ANNUAL TAX LEVY; RECITING THE ESTIMATED COST OF SUCH MUNICIPAL IMPROVEMENTS; FIXING THE DATE OF ELECTION AND THE MANNER OF HOLDING SUCH ELECTION AND THE PROCEDURE FOR VOTING FOR OR AGAINST THE PROPOSITIONS; FIXING THE MAXIMUM RATE OF INTEREST ON SAID BONDS AND PROVIDING FOR THE LEVY AND COLLECTION OF TAXES TO PAY BOTH PRINCIPAL AND INTEREST THEREOF;

PRESCRIBING NOTICE TO BE GIVEN OF SUCH ELECTION; CONSOLIDATING THE SPECIAL ELECTION WITH THE GENERAL ELECTION; AND PROVIDING THAT THE ELECTION PRECINCTS, VOTING PLACES AND OFFICERS FOR ELECTION SHALL BE THE SAME AS FOR SUCH GENERAL ELECTION.

Be it ordained by the People of the City and County of San Francisco:

Section 1. A special election is hereby called and ordered to be held in the City and County of San Francisco on Tuesday, the 2nd day of June, 1992, for the purpose of submitting to the electors of said city and county propositions to incur bonded indebtedness of the City and County of San Francisco for the acquisition, construction or completion by the City and County of the hereinafter described municipal improvements in the amounts and for the purposes stated:

CIVIC CENTER IMPROVEMENT BONDS, 1992, $26,700,000 for improvements to the Civic Center Plaza and Fulton Street Mall, landscaping and street lighting surrounding the City Hall and areas adjacent thereto, including construction and reconstruction necessary or convenient to improve Civic Center Plaza and Fulton Street Mall, City Hall landscaping and properties adjacent thereto and all other works, property and structures necessary or convenient for such additions and improvements to the Civic Center Plaza and Fulton Street Mall of the City and County of San Francisco.

CIVIC CENTER HEATING SYSTEM IMPROVEMENT BONDS, 1992, $21,220,000 to pay the cost of construction or reconstruction of a heating system within the Civic Center area including pipelines and

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hot water boiler system together with all of the work, property and structures necessary or convenient for such additions and improvements to the heating system within the Civic Center area of the City and County of San Francisco.

CIVIC CENTER PARKING GARAGE IMPROVEMENT BONDS, 1992, $24,000,000 to pay for the enlargement of the existing Civic Center Garage or construction of a parking garage adjacent thereto, including asbestos abatement and access for the disabled and providing for all other works, property and structures necessary or convenient for such additions and improvement to the expansion of the parking garage at the Civic Center in the City and County of San Francisco.

GOLDEN GATE PARK IMPROVEMENT BONDS, 1992, $76,300,000 to pay the cost of the construction or reconstruction of repair, reforestation and rehabilitation of Golden Gate Park including water system supply and irrigation, lakes and water courses, utilities including street and security lighting, repair and rehabilitation of park features, landscaping, restrooms including disabled access thereto and all other works, property and structures necessary or convenient for such additions and improvements to Golden Gate Park in the City and County of San Francisco.

Section 2. The estimated costs of each of the municipal improvements described in Section 1 hereof were fixed by the Board of Supervisors by the following resolutions and in the amount specified:

Civic Center Improvement Bonds, 1992, Resolution No. 71-92, $26,700,000; Civic Center Heating System Improvement Bonds, 1992, Resolution No. 70-92, $21,220,000; Civic Center Parking Garage Improvement Bonds, 1992, Resolution No. 95-92, $24,000,000; Golden Gate Park Improvement Bonds, 1992, Resolution No. 72-92, $76,300,000.

That said resolutions were passed by two-thirds or more of the Board of Supervisors and approved by the Mayor, and in each said resolution it was recited and found that the sums of money specified were too great to be paid out of the ordinary annual income and revenue of the City and County in addition to the other annual expenses thereof or other funds derived from taxes levied for those purposes and will require expenditures greater than the amounts allowed therefor by the annual tax levy.

The method and manner of payment o the estimated costs of the municipal improvements described herein are by the issuance of bonds of the City and County of San Francisco in the principal amounts not to exceed the principal amounts specified.

Said estimates of cost as set forth in said resolutions are hereby adopted and determined to be the estimated costs of said improvements.

Section 3. The special election hereby called and ordered to be held shall be held and conducted and the votes therest received and canvassed, and the returns thereof made and the results thereof ascertained, determined and declared as herein provided and in all particulars not herein recited said election shall be held according

to the laws of the State of California and the Charter of the City and County of San Francisco providing for and governing elections in the City and County of San Francisco, and the polls for such election shall be and remain open during the time required by said laws.

Section 4. The said special election hereby called shall be and hereby is consolidated with the General Election of the City and County of San Francisco to be held Tuesday, June 2, 1992, and the voting precincts, polling places and officers of election for said General Election be and the same are hereby adopted, established, designated and named, respectively, as the voting precincts, polling places and officers of elections for such special election hereby called, and as specifically set forth, in the official publication, by the Registrar of Voters of precincts, polling places and election officers for the said General Election.

The ballots to be used at said special election shall be the ballots to be used at said General Election and reference is hereby made to the notice of election setting forth the voting precincts, polling places and officers of election by the Registrar of Voters for the General Election to be published in the San Francisco Examiner on or no later than May 12, 1992.

Section 5. On the ballots to be used at such special elections and on the punch card ballots used at said special election, in addition to any other matter required by law to be printed thereon, shall appear thereon the following, to be

separately stated, and appear upon the ballot as a separate proposition:

"CIVIC CENTER IMPROVEMENT BONDS, 1992.
To incur a bonded indebtedness of $26,700,000 for improvements to the Civic Center Plaza and Fulton Street Mall, landscaping and street lighting surrounding the City Hall and areas adjacent thereto."

"CIVIC CENTER HEATING SYSTEM IMPROVEMENT BONDS, 1992.
To incur a bonded indebtedness of $21,220,000 to pay the cost of construction or reconstruction of a heating system within the Civic Center area including pipelines and hot water boiler system."

"CIVIC CENTER PARKING GARAGE IMPROVEMENT BONDS, 1992.
To incur a bonded indebtedness of $24,000,000 to pay for the enlargement of the Civic Center Parking Garage or construction of a parking garage adjacent thereto, including asbestos abatement and providing access for the disabled."

"GOLDEN GATE PARK IMPROVEMENT BONDS, 1992.
To incur a bonded indebtedness of $76,300,000 to pay the cost of the construction or reconstruction of repair, reforestation and rehabilitation of Golden Gate Park including water system supply and irrigation, lakes and water courses, utilities

including street and security lighting, repair and rehabilitation of park features, landscaping, restrooms including disabled access thereto."

Each voter to vote for any said propositions hereby submitted and in favor of the issuance of the Bonds, shall stamp a cross (X) in the blank space opposite the word "YES" on the ballot to the right of said proposition, and to vote against said proposition and against the issuance of the Bonds shall stamp a cross (X) in the blank space opposite the word "NO" on the ballot to the right of said proposition. On absent voters ballots, the cross (X) may be marked with pen or pencil.

If and to the extent that punch card ballot cards are used at said special election, each voter to vote for any said proposition shall punch the ballot card in the hole after the word "YES" to the right of said proposition, and to vote against said proposition shall punch the ballot card in the hole after the word "NO" to the right of said proposition.

Section 6. If at such special election it shall appear that two-thirds of all the voters voting on the proposition voted in favor of and authorized the incurring of a bonded indebtedness for the purposes set forth in said proposition, then such proposition shall have been accepted by the electors, and bonds shall be issued to defray the cost of the municipal improvements described herein. Such bonds shall be of the form and character known as "serials," and shall bear interest at a rate not to

exceed 12 per centum per annum, payable semiannually, provided, that interest for the first year after the date of any of said bonds may be payable at or before the end of that year.

The votes cast for and against said respective propositions shall be counted separately and when two-thirds of the qualified electors, voting on such propositions, vote in favor thereof, such proposition shall be deemed adopted.

Section 7. For the purpose of paying the principal and interest on said bonds, the Board of Supervisors shall, at the time of fixing the general tax levy and in the manner for such general tax levy provided, levy and collect annually each year until such bonds are paid, or until there is a sum in the Treasury of said City and County set apart for that purpose to meet all sums coming due for the principal and interest on said bonds, a tax sufficient to pay the annual interest on such bonds as the same becomes due and also such part of the principal thereof as shall become due before the proceeds of a tax levied at the time for making the next general tax levy can be made available for the payment of such principal.

Section 8. This ordinance shall be published once a day for at least seven (7) days in the San Francisco Examiner, a newspaper published daily in the City and County of San Francisco, being the official newspaper of said city and county and such publication shall constitute notice of said election and no other notice of the election hereby called need be given.

Section 9. The appropriate officers, employees, representatives and agents of the City and County of San Francisco are hereby authorized and directed to do everything necessary or desirable to the calling and holding of said special election, and to otherwise carry out the provisions of this ordinance.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Robert A. Kenealey
ROBERT A. KENEALEY
Assistant Chief Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
February 10, 1992	February 18, 1992
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward	Ayes: Supervisors Achtenberg Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
	Absent: Supervisor Alioto

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
60-92-1

FEB 20 1992
Date Approved

Frank M. Jordan
Mayor

As amended in Board 2/3/92

FILE NO. 97-92-2 ORDINANCE NO. 49-92

[Transfer of Sick Leave and Vacation Benefits]

AMENDING CHAPTER 16, ARTICLE I OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 16.9-29 THEREOF, RELATING TO TRANSFER OF SICK LEAVE AND VACATION BENEFITS TO CATASTROPHICALLY ILL EMPLOYEES, BY SUSPENDING, FOR EMPLOYEES RETIRING PURSUANT TO CHARTER SECTION 8.517-2, THE REQUIREMENTS THAT DONORS BE ALLOWED TO TRANSFER ONLY ONCE PER PAY PERIOD PER RECIPIENT AND THE MAXIMUM NUMBERS OF HOURS THAT CAN BE TRANSFERRED IN ANY PAY PERIOD OR YEAR.

NOTE: Additions or substitutions are <u>underlined</u>; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 16, Article I of the San Francisco Administrative is hereby amended by amending Section 16.9-29 thereof, to read as follows:

SEC. 16.9-29 TRANSFER OF SICK LEAVE AND VACATION CREDITS TO CATASTROPHICALLY SICK EMPLOYEES.

(a) PURPOSE. This section is enacted as a measure to permit the transfer of sick leave and vacation credits, as authorized by Charter Sections 8.364 and 8.441, respectively.

(b) DEFINITION OF CATASTROPHIC ILLNESS. In order to be declared catastrophically ill within the meaning of this section, an employee must meet all of the following conditions:

(1) The employee has sustained a life-threatening illness or injury;

(2) Such illness or injury prevents the employee from returning to work for at least 30 days; and

(3) The employee has already exhausted all available paid sick leave, vacation, compensatory and in-lieu time.

(c) ELIGIBILITY OF RECEIPT OF TRANSFERS OF SICK LEAVE AND/OR VACATION CREDITS. Any employee of the City and County of San Francisco who is eligible to accumulate and use sick leave and vacation credits may receive transfers of sick leave and vacation credits pursuant to this section, if the employee has been found to meet the definition of catastrophically ill pursuant to the procedures prescribed in this section. This section only provides for receipt of such credits as are donated and does not provide for an absolute right of continued paid leave.

(d) PROCEDURE OF APPLICATION FOR CATASTROPHIC ILLNESS STATUS.

(1) An employee must complete a prescribed application form and return it to the Department of Public Health, as indicated on the form, together with supporting medical documentation. The Department of Public Health shall produce and maintain sufficient quantities of the prescribed application for employee access and distribution.

(2) The Department of Public Health or its designee shall examine the documentation supporting the application. The Department of Public Health or its designee may ask the applicant to submit further documentation and/or to submit to examination by a physician that it designates to determine in fact that the applicant does suffer from a catastrophic illness within the meaning of these rules. An employee's failure to comply with these requirements may be grounds for rejection of the application.

(3) After the Department of Public Health makes its determination, it shall notify the employee and the employee's department head, and for vacation leave transfers the employee's department head must assent to the determination.

(4) In order to continue to qualify as catastrophically ill, an employee who has been determined to be catastrophically ill may from time to time be required (i) to submit to specified examination and/or (ii) to supply further documentation of current medical

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status, as is necessary in the opinion of the Department of Public Health or its designee in order to continue to qualify as catastrophically ill; provided, however, that such request shall not be made for the purpose of harassing said employee.

(5) If an employee is determined not to be catastrophically ill, the employee shall have a right to appeal the decision through an administrative appeal process to be established by the Public Health Commission, and which shall include the right to review by the Director of the Department of Public Health and, finally, a hearing before the Public Health Commission. The Department of Public Health shall automatically provide the employee with a written letter setting for the reasons for denial and the procedure for filing an administrative appeal. The Public Health Commission shall promulgate and post the administrative appeal rules within 14 days from the effective date of this ordinance. The administrative appeal process in its entirety shall not exceed 60 days. An employee whose application has been disapproved is not obligated to exhaust the administrative appeals process before reapplying, and instead the employee may reapply after observing a 30-day wait period from the date of the initial denial.

(e) ELIGIBILITY TO TRANSFER SICK LEAVE AND/OR VACATION CREDITS. Any employee of the City and County of San Francisco who is eligible to accumulate and use vacation credits and sick leave may transfer sick leave and/or vacation credits to another employee subject to the following conditions:

(1) The transferring employee must retain a minimum sick leave balance of 64 hours;

(2) Transfers must be in units of eight hours;

(3) All transfers are irrevocable;

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(4) The transferring employee may transfer hours once per pay period per recipient;

(5) The transferring employee may transfer a maximum of 80 hours per pay period and 480 hours per calendar year; and

(6) Neither the transferring employee nor the designated recipient may be in violation of Subsection (i).

<u>Notwithstanding the foregoing, for employees retiring after January 31, 1992 and prior to March 31, 1992 pursuant to Charter section 8.517-2, conditions (1) (4) and (5) shall not be applicable.</u>

2/3/92
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(f) POSTING OF ELIGIBLE RECIPIENTS.

(1) The Department of Public Health shall assign an exclusive number to each catastrophically ill employee deemed eligible to receive sick leave time and/or vacation credit transfers under these rules;

(2) The Department of Public Health shall maintain, reproduce and post a running list of catastrophically ill employees, to be identified only by their special numbers, in order to let transferring employees designate a recipient;

(3) The list may include the amounts of sick leave and vacation credits already transferred or on reserve to each employee; and

(4) In all cases, the Department of Public Health and its designees shall shield and protect the true identities of catastrophically ill employees and the right of employees to confidentiality protections.

(g) RECEIPT OF TRANSFERRED SICK LEAVE AND VACATION CREDITS BY A CATASTROPHICALLY ILL EMPLOYEE.

(1) All hours transferred shall be credited as sick leave for the receiving employee. As they are used, they shall be treated as use of the employee's own sick leave for all purposes, including for

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continued accrual of vacation credits, sick leave, and retirement service; service for pay increments; and eligibility for holiday pay.

(2) At the beginning of each pay period, a catastrophically ill employee must use all sick leave and vacation credits accrued during the previous pay period before using any transferred hours.

(3) An employee who has been determined catastrophically ill may use transferred hours retroactively from the date of certification of eligibility back to the date of application.

(4) A receiving employee may use transferred credits in a pay period to the extent that when combined with other compensation from the City and County and all other benefits from public sources, the total does not exceed the pay for 100 percent of the employee's regularly scheduled hours for such pay period (excluding regularly schedule overtime and premium pay). A receiving employee may be required to provide financial records to prove compliance with this subsection. Failure to provide such records is grounds for exclusion from eligibility to receive sick leave and vacation credit transfers pursuant to this section.

(5) The maximum number of hours that can be transferred to an employee for any single catastrophic illness is 3,120.

(h) CONFIDENTIALITY.

(1) All medical records submitted by an employee pursuant to this statute are to be kept confidential by the Department of Public Health or its designee.

(2) Until the Department of Public Health has rendered its opinion pursuant to subsection (d) that the employee is catastrophically ill, the fact of an employee's application is to be kept confidential by the parties processing the application and not shared with the employee's department head.

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(3) The names of employees donating hours pursuant to this provision are to remain confidential.

(4) Violation of the provisions of this subsection or any other relating to confidentiality protections shall be grounds for disciplinary action.

(i) NO SELLING OR COERCION.

(1) No individual shall directly or indirectly solicit the receipt of, or accept, any compensation in full or partial exchange directly or indirectly, for sick leave or vacation credits to be transferred pursuant to this section.

(2) No individual shall solicit the receipt of, or accept, the transfer of any sick leave or vacation credits pursuant to this section in full or partial exchange, directly or indirectly, for any compensation.

(3) No individual shall threaten or in any way attempt to coerce an employee with respect to transfer of sick leave or vacation credits pursuant to this section.

(4) Violation of the provisions of this subsection shall be grounds for disciplinary action.

(j) LIMITATION. In undertaking the adoption and enforcement of this ordinance, the City and County of San Francisco is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.

(k) REVIEW.

(1) Within six months following final passage of this ordinance, a Task Force on Transfer Benefits shall be assembled to review the sick leave and vacation transfer programs, the report of the Executive Director of Employee Relations on the costs of

purchasing long term disability insurance for employees of the City and County of San Francisco, this ordinance, and the performance of City and County departments in carrying out their Charter and statutory obligations.

(2) The Task Force shall be composed of seven members, with one member each representing the Health Commission, Civil Service Commission, and Retirement Board; two members representing employee associations; one member representing the public; and one member representing persons with catastrophic illnesses;

(3) Members of the Task Force shall be appointed by the Board of Supervisors in accordance with the composition requirements established herein; and

(4) The Task Force shall prepare a report with its findings and recommendations for improvements or modifications in the sick leave and vacation credit transfer program, and to be presented to the Board of Supervisors and Mayor within 120 days from the date of the first hearing of the Task Force.

(l) NOTICES. The Civil Service Commission shall develop notices with relevant information about the sick leave and vacation credit transfer program, including facts on how and where to apply for registry as a catastrophically ill employee, and how and where employees can contribute sick leave time and vacation credits to catastrophically ill co-workers. These notices shall be distributed to all appointing officers who shall then post them in public places where other notices advising employees of rights and benefits are posted.

(m) TERMINATION OF THIS PROVISION. Unless otherwise specified by ordinance of Charter provision, the provision of this ordinance shall expire upon the effective date of a successor ordinance or Charter section providing for transfer of sick leave and vacation

credits or upon the effective date of an ordinance or Charter section instituting a long-term disability program.

(n) RETROACTIVE. The provisions of this ordinance shall be effective retroactively to the date the relevant Charter amendments were certified by the State of California.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: _____
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
February 3, 1992	February 10, 1992
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
97-92-2

FEB 20 1992
Date Approved

Frank M. Jordan
Mayor

E R R A T A

Ordinance No. 49-92, File 97-92-2, page 1, is hereby corrected by striking lines 25 and 26 which was deleted by Ordinance No. 12-92, and correcting line 27 by renumbering from "Sec. 16.9-29(b)(3)" to read "Sec. 16.9-29(b)(2)".

John L. Taylor
Clerk of the Board
April 3, 1992

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As amended in Board 2/3/92

FILE NO. 97-92-2 ORDINANCE NO. 49-92

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[Transfer of Sick Leave and Vacation Benefits]

AMENDING CHAPTER 16, ARTICLE I OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 16.9-29 THEREOF, RELATING TO TRANSFER OF SICK LEAVE AND VACATION BENEFITS TO CATASTROPHICALLY ILL EMPLOYEES, BY SUSPENDING, FOR EMPLOYEES RETIRING PURSUANT TO CHARTER SECTION 8.517-2, THE REQUIREMENTS THAT DONORS BE ALLOWED TO TRANSFER ONLY ONCE PER PAY PERIOD PER RECIPIENT AND THE MAXIMUM NUMBERS OF HOURS THAT CAN BE TRANSFERRED IN ANY PAY PERIOD OR YEAR.

NOTE: Additions or substitutions are <u>underlined</u>; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 16, Article I of the San Francisco Administrative is hereby amended by amending Section 16.9-29 thereof, to read as follows:

SEC. 16.9-29 TRANSFER OF SICK LEAVE AND VACATION CREDITS TO CATASTROPHICALLY SICK EMPLOYEES.

(a) PURPOSE. This section is enacted as a measure to permit the transfer of sick leave and vacation credits, as authorized by Charter Sections 8.364 and 8.441, respectively.

(b) DEFINITION OF CATASTROPHIC ILLNESS. In order to be declared catastrophically ill within the meaning of this section, an employee must meet all of the following conditions:

(1) The employee has sustained a life-threatening illness or injury;

/3/92 ~~(2) Such illness or injury prevents the employee from~~
ejp ~~returning to work for at least 30 days; and~~

/3/92 (2) ~~(3)~~ The employee has already exhausted all available paid sick leave, vacation, compensatory and in-lieu time.

(c) ELIGIBILITY OF RECEIPT OF TRANSFERS OF SICK LEAVE AND/OR VACATION CREDITS. Any employee of the City and County of

San Francisco who is eligible to accumulate and use sick leave and vacation credits may receive transfers of sick leave and vacation credits pursuant to this section, if the employee has been found to meet the definition of catastrophically ill pursuant to the procedures prescribed in this section. This section only provides for receipt of such credits as are donated and does not provide for an absolute right of continued paid leave.

(d) PROCEDURE OF APPLICATION FOR CATASTROPHIC ILLNESS STATUS.

(1) An employee must complete a prescribed application form and return it to the Department of Public Health, as indicated on the form, together with supporting medical documentation. The Department of Public Health shall produce and maintain sufficient quantities of the prescribed application for employee access and distribution.

(2) The Department of Public Health or its designee shall examine the documentation supporting the application. The Department of Public Health or its designee may ask the applicant to submit further documentation and/or to submit to examination by a physician that it designates to determine in fact that the applicant does suffer from a catastrophic illness within the meaning of these rules. An employee's failure to comply with these requirements may be grounds for rejection of the application.

(3) After the Department of Public Health makes its determination, it shall notify the employee and the employee's department head, and for vacation leave transfers the employee's department head must assent to the determination.

(4) In order to continue to qualify as catastrophically ill, an employee who has been determined to be catastrophically ill may from time to time be required (i) to submit to specified examination and/or (ii) to supply further documentation of current medical

status, as is necessary in the opinion of the Department of Public Health or its designee in order to continue to qualify as catastrophically ill; provided, however, that such request shall not be made for the purpose of harassing said employee.

(5) If an employee is determined not to be catastrophically ill, the employee shall have a right to appeal the decision through an administrative appeal process to be established by the Public Health Commission, and which shall include the right to review by the Director of the Department of Public Health and, finally, a hearing before the Public Health Commission. The Department of Public Health shall automatically provide the employee with a written letter setting for the reasons for denial and the procedure for filing an administrative appeal. The Public Health Commission shall promulgate and post the administrative appeal rules within 14 days from the effective date of this ordinance. The administrative appeal process in its entirety shall not exceed 60 days. An employee whose application has been disapproved is not obligated to exhaust the administrative appeals process before reapplying, and instead the employee may reapply after observing a 30-day wait period from the date of the initial denial.

(e) ELIGIBILITY TO TRANSFER SICK LEAVE AND/OR VACATION CREDITS. Any employee of the City and County of San Francisco who is eligible to accumulate and use vacation credits and sick leave may transfer sick leave and/or vacation credits to another employee subject to the following conditions:

(1) The transferring employee must retain a minimum sick leave balance of 64 hours;

(2) Transfers must be in units of eight hours;

(3) All transfers are irrevocable;

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(4) The transferring employee may transfer hours once per pay period per recipient;

(5) The transferring employee may transfer a maximum of 80 hours per pay period and 480 hours per calendar year; and

(6) Neither the transferring employee nor the designated recipient may be in violation of Subsection (i).

<u>Notwithstanding the foregoing, for employees retiring after January 31, 1992 and prior to March 31, 1992 pursuant to Charter section 8.517-2, conditions (1), (4) and (5) shall not be applicable.</u>

2/3/92
ejp

(f) POSTING OF ELIGIBLE RECIPIENTS.

(1) The Department of Public Health shall assign an exclusive number to each catastrophically ill employee deemed eligible to receive sick leave time and/or vacation credit transfers under these rules;

(2) The Department of Public Health shall maintain, reproduce and post a running list of catastrophically ill employees, to be identified only by their special numbers, in order to let transferring employees designate a recipient;

(3) The list may include the amounts of sick leave and vacation credits already transferred or on reserve to each employee; and

(4) In all cases, the Department of Public Health and its designees shall shield and protect the true identities of catastrophically ill employees and the right of employees to confidentiality protections.

(g) RECEIPT OF TRANSFERRED SICK LEAVE AND VACATION CREDITS BY A CATASTROPHICALLY ILL EMPLOYEE.

(1) All hours transferred shall be credited as sick leave for the receiving employee. As they are used, they shall be treated as use of the employee's own sick leave for all purposes, including for

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continued accrual of vacation credits, sick leave, and retirement service; service for pay increments; and eligibility for holiday pay.

(2) At the beginning of each pay period, a catastrophically ill employee must use all sick leave and vacation credits accrued during the previous pay period before using any transferred hours.

(3) An employee who has been determined catastrophically ill may use transferred hours retroactively from the date of certification of eligibility back to the date of application.

(4) A receiving employee may use transferred credits in a pay period to the extent that when combined with other compensation from the City and County and all other benefits from public sources, the total does not exceed the pay for 100 percent of the employee's regularly scheduled hours for such pay period (excluding regularly schedule overtime and premium pay). A receiving employee may be required to provide financial records to prove compliance with this subsection. Failure to provide such records is grounds for exclusion from eligibility to receive sick leave and vacation credit transfers pursuant to this section.

(5) The maximum number of hours that can be transferred to an employee for any single catastrophic illness is 3,120.

(h) CONFIDENTIALITY.

(1) All medical records submitted by an employee pursuant to this statute are to be kept confidential by the Department of Public Health or its designee.

(2) Until the Department of Public Health has rendered its opinion pursuant to subsection (d) that the employee is catastrophically ill, the fact of an employee's application is to be kept confidential by the parties processing the application and not shared with the employee's department head.

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(3) The names of employees donating hours pursuant to this provision are to remain confidential.

(4) Violation of the provisions of this subsection or any other relating to confidentiality protections shall be grounds for disciplinary action.

(i) NO SELLING OR COERCION.

(1) No individual shall directly or indirectly solicit the receipt of, or accept, any compensation in full or partial exchange directly or indirectly, for sick leave or vacation credits to be transferred pursuant to this section.

(2) No individual shall solicit the receipt of, or accept, the transfer of any sick leave or vacation credits pursuant to this section in full or partial exchange, directly or indirectly, for any compensation.

(3) No individual shall threaten or in any way attempt to coerce an employee with respect to transfer of sick leave or vacation credits pursuant to this section.

(4) Violation of the provisions of this subsection shall be grounds for disciplinary action.

(j) LIMITATION. In undertaking the adoption and enforcement of this ordinance, the City and County of San Francisco is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.

(k) REVIEW.

(1) Within six months following final passage of this ordinance, a Task Force on Transfer Benefits shall be assembled to review the sick leave and vacation transfer programs, the report of the Executive Director of Employee Relations on the costs of

purchasing long term disability insurance for employees of the City and County of San Francisco, this ordinance, and the performance of City and County departments in carrying out their Charter and statutory obligations.

(2) The Task Force shall be composed of seven members, with one member each representing the Health Commission, Civil Service Commission, and Retirement Board; two members representing employee associations; one member representing the public; and one member representing persons with catastrophic illnesses;

(3) Members of the Task Force shall be appointed by the Board of Supervisors in accordance with the composition requirements established herein; and

(4) The Task Force shall prepare a report with its findings and recommendations for improvements or modifications in the sick leave and vacation credit transfer program, and to be presented to the Board of Supervisors and Mayor within 120 days from the date of the first hearing of the Task Force.

(l) NOTICES. The Civil Service Commission shall develop notices with relevant information about the sick leave and vacation credit transfer program, including facts on how and where to apply for registry as a catastrophically ill employee, and how and where employees can contribute sick leave time and vacation credits to catastrophically ill co-workers. These notices shall be distributed to all appointing officers who shall then post them in public places where other notices advising employees of rights and benefits are posted.

(m) TERMINATION OF THIS PROVISION. Unless otherwise specified by ordinance of Charter provision, the provision of this ordinance shall expire upon the effective date of a successor ordinance or Charter section providing for transfer of sick leave and vacation

credits or upon the effective date of an ordinance or Charter section instituting a long-term disability program.

(n) RETROACTIVE. The provisions of this ordinance shall be effective retroactively to the date the relevant Charter amendments were certified by the State of California.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: _____
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
February 3, 1992	§	February 10, 1992
	§	
	§	
Ayes: Supervisors Achtenberg Alioto	§	Ayes: Supervisors Achtenberg Alioto
Britt Gonzalez Hallinan Hsieh	§	Britt Gonzalez Hallinan Hsieh
Kennedy Maher Migden Shelley Ward	§	Kennedy Maher Migden Shelley Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
97-92-2

FEB 20 1992
Date Approved

Frank M. Jordan
Mayor

E R R A T A

Ordinance No. 50-92, File 97-92-3, page 1, is hereby corrected by striking lines 25 and 26 which was deleted by Ordinance No. 12-92, and correcting line 27 by renumbering from "Sec. 16.9-29(b)(3)" to read "Sec. 16.9-29(b)(2)".

John L. Taylor
Clerk of the Board
April 3, 1992

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As amended in Board 2/3/92

FILE NO. 97-92-3 ORDINANCE NO. 50-92

[Transfer of Sick Leave and Vacation Benefits]

AMENDING CHAPTER 16, ARTICLE I OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 16.9-29 THEREOF, RELATING TO TRANSFER OF SICK LEAVE AND VACATION BENEFITS TO CATASTROPHICALLY ILL EMPLOYEES, BY SUSPENDING, FOR EMPLOYEES RETIRING PURSUANT TO CHARTER SECTION 8.517-2, THE REQUIREMENTS THAT DONORS RETAIN A MINIMUM OF 64 HOURS OF SICK LEAVE AND THE MAXIMUM NUMBERS OF HOURS THAT CAN BE TRANSFERRED IN A PAY PERIOD OR YEAR.

NOTE: Additions or substitutions are <u>underlined</u>; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 16, Article I of the San Francisco Administrative is hereby amended by amending Section 16.9-29 thereof, to read as follows:

SEC. 16.9-29 TRANSFER OF SICK LEAVE AND VACATION CREDITS TO CATASTROPHICALLY SICK EMPLOYEES.

(a) PURPOSE. This section is enacted as a measure to permit the transfer of sick leave and vacation credits, as authorized by Charter Sections 8.364 and 8.441, respectively.

(b) DEFINITION OF CATASTROPHIC ILLNESS. In order to be declared catastrophically ill within the meaning of this section, an employee must meet all of the following conditions:

(1) The employee has sustained a life-threatening illness or injury;

3/92 ~~(2) Such illness or injury prevents the employee from~~

ejp ~~returning to work for at least 30 days; and~~

3/92 (2) ~~(3)~~ The employee has already exhausted all available paid sick leave, vacation, compensatory and in-lieu time.

(c) ELIGIBILITY OF RECEIPT OF TRANSFERS OF SICK LEAVE AND/OR VACATION CREDITS. Any employee of the City and County of San

Francisco who is eligible to accumulate and use sick leave and vacation credits may receive transfers of sick leave and vacation credits pursuant to this section, if the employee has been found to meet the definition of catastrophically ill pursuant to the procedures prescribed in this section. This section only provides for receipt of such credits as are donated and does not provide for an absolute right of continued paid leave.

(d) PROCEDURE OF APPLICATION FOR CATASTROPHIC ILLNESS STATUS.

(1) An employee must complete a prescribed application form and return it to the Department of Public Health, as indicated on the form, together with supporting medical documentation. The Department of Public Health shall produce and maintain sufficient quantities of the prescribed application for employee access and distribution.

(2) The Department of Public Health or its designee shall examine the documentation supporting the application. The Department of Public Health or its designee may ask the applicant to submit further documentation and/or to submit to examination by a physician that it designates to determine in fact that the applicant does suffer from a catastrophic illness within the meaning of these rules. An employee's failure to comply with these requirements may be grounds for rejection of the application.

(3) After the Department of Public Health makes its determination, it shall notify the employee and the employee's department head, and for vacation leave transfers the employee's department head must assent to the determination.

(4) In order to continue to qualify as catastrophically ill, an employee who has been determined to be catastrophically ill may from time to time be required (i) to submit to specified examination and/or (ii) to supply further documentation of current medical

status, as is necessary in the opinion of the Department of Public Health or its designee in order to continue to qualify as catastrophically ill; provided, however, that such request shall not be made for the purpose of harassing said employee.

(5) If an employee is determined not to be catastrophically ill, the employee shall have a right to appeal the decision through an administrative appeal process to be established by the Public Health Commission, and which shall include the right to review by the Director of the Department of Public Health and, finally, a hearing before the Public Health Commission. The Department of Public Health shall automatically provide the employee with a written letter setting for the reasons for denial and the procedure for filing an administrative appeal. The Public Health Commission shall promulgate and post the administrative appeal rules within 14 days from the effective date of this ordinance. The administrative appeal process in its entirety shall not exceed 60 days. An employee whose application has been disapproved is not obligated to exhaust the administrative appeals process before reapplying, and instead the employee may reapply after observing a 30-day wait period from the date of the initial denial.

(e) ELIGIBILITY TO TRANSFER SICK LEAVE AND/OR VACATION CREDITS. Any employee of the City and County of San Francisco who is eligible to accumulate and use vacation credits and sick leave may transfer sick leave and/or vacation credits to another employee subject to the following conditions:

(1) The transferring employee must retain a minimum sick leave balance of 64 hours;

(2) Transfers must be in units of eight hours;

(3) All transfers are irrevocable;

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(4) The transferring employee may transfer hours once per pay period per recipient;

(5) The transferring employee may transfer a maximum of 80 hours per pay period and 480 hours per calendar year; and

(6) Neither the transferring employee nor the designated recipient may be in violation of Subsection (i).

Notwithstanding the foregoing, for employees retiring after January 31, 1992 and prior to March 31, 1992 pursuant to Charter section 8.517-2, conditions (1), (4), and (5) shall not be applicable.

2/3/92
ejp

(f) POSTING OF ELIGIBLE RECIPIENTS.

(1) The Department of Public Health shall assign an exclusive number to each catastrophically ill employee deemed eligible to receive sick leave time and/or vacation credit transfers under these rules;

(2) The Department of Public Health shall maintain, reproduce and post a running list of catastrophically ill employees, to be identified only by their special numbers, in order to let transferring employees designate a recipient;

(3) The list may include the amounts of sick leave and vacation credits already transferred or on reserve to each employee; and

(4) In all cases, the Department of Public Health and its designees shall shield and protect the true identities of catastrophically ill employees and the right of employees to confidentiality protections.

(g) RECEIPT OF TRANSFERRED SICK LEAVE AND VACATION CREDITS BY A CATASTROPHICALLY ILL EMPLOYEE.

(1) All hours transferred shall be credited as sick leave for the receiving employee. As they are used, they shall be treated as use of the employee's own sick leave for all purposes, including for

continued accrual of vacation credits, sick leave, and retirement service; service for pay increments; and eligibility for holiday pay.

(2) At the beginning of each pay period, a catastrophically ill employee must use all sick leave and vacation credits accrued during the previous pay period before using any transferred hours.

(3) An employee who has been determined catastrophically ill may use transferred hours retroactively from the date of certification of eligibility back to the date of application.

(4) A receiving employee may use transferred credits in a pay period to the extent that when combined with other compensation from the City and County and all other benefits from public sources, the total does not exceed the pay for 100 percent of the employee's regularly scheduled hours for such pay period (excluding regularly schedule overtime and premium pay). A receiving employee may be required to provide financial records to prove compliance with this subsection. Failure to provide such records is grounds for exclusion from eligibility to receive sick leave and vacation credit transfers pursuant to this section.

(5) The maximum number of hours that can be transferred to an employee for any single catastrophic illness is 3,120.

(h) CONFIDENTIALITY.

(1) All medical records submitted by an employee pursuant to this statute are to be kept confidential by the Department of Public Health or its designee.

(2) Until the Department of Public Health has rendered its opinion pursuant to subsection (d) that the employee is catastrophically ill, the fact of an employee's application is to be kept confidential by the parties processing the application and not shared with the employee's department head.

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(3) The names of employees donating hours pursuant to this provision are to remain confidential.

(4) Violation of the provisions of this subsection or any other relating to confidentiality protections shall be grounds for disciplinary action.

(i) NO SELLING OR COERCION.

(1) No individual shall directly or indirectly solicit the receipt of, or accept, any compensation in full or partial exchange directly or indirectly, for sick leave or vacation credits to be transferred pursuant to this section.

(2) No individual shall solicit the receipt of, or accept, the transfer of any sick leave or vacation credits pursuant to this section in full or partial exchange, directly or indirectly, for any compensation.

(3) No individual shall threaten or in any way attempt to coerce an employee with respect to transfer of sick leave or vacation credits pursuant to this section.

(4) Violation of the provisions of this subsection shall be grounds for disciplinary action.

(j) LIMITATION. In undertaking the adoption and enforcement of this ordinance, the City and County of San Francisco is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.

(k) REVIEW.

(1) Within six months following final passage of this ordinance, a Task Force on Transfer Benefits shall be assembled to review the sick leave and vacation transfer programs, the report of the Executive Director of Employee Relations on the costs of

purchasing long term disability insurance for employees of the City and County of San Francisco, this ordinance, and the performance of City and County departments in carrying out their Charter and statutory obligations.

(2) The Task Force shall be composed of seven members, with one member each representing the Health Commission, Civil Service Commission, and Retirement Board; two members representing employee associations; one member representing the public; and one member representing persons with catastrophic illnesses;

(3) Members of the Task Force shall be appointed by the Board of Supervisors in accordance with the composition requirements established herein; and

(4) The Task Force shall prepare a report with its findings and recommendations for improvements or modifications in the sick leave and vacation credit transfer program, and to be presented to the Board of Supervisors and Mayor within 120 days from the date of the first hearing of the Task Force.

(l) NOTICES. The Civil Service Commission shall develop notices with relevant information about the sick leave and vacation credit transfer program, including facts on how and where to apply for registry as a catastrophically ill employee, and how and where employees can contribute sick leave time and vacation credits to catastrophically ill co-workers. These notices shall be distributed to all appointing officers who shall then post them in public places where other notices advising employees of rights and benefits are posted.

(m) TERMINATION OF THIS PROVISION. Unless otherwise specified by ordinance of Charter provision, the provision of this ordinance shall expire upon the effective date of a successor ordinance or Charter section providing for transfer of sick leave and vacation

credits or upon the effective date of an ordinance or Charter section instituting a long-term disability program.

(n) RETROACTIVE. The provisions of this ordinance shall be effective retroactively to the date the relevant Charter amendments were certified by the State of California.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: _____
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
February 3, 1992	§	February 10, 1992
	§	
	§	
Ayes: Supervisors Achtenberg Alioto	§	Ayes: Supervisors Achtenberg Alioto
Britt Gonzalez Hallinan Hsieh	§	Britt Gonzalez Hallinan Hsieh
Kennedy Maher Migden Shelley Ward	§	Kennedy Maher Migden Shelley Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
97-92-3

FEB 20 1992
Date Approved

Frank M. Jordan
Mayor

(Mission Bay Port Agreement to License and to Option)
AUTHORIZING THE LICENSING OF AND THE GRANTING OF OPTIONS TO LICENSE CITY-OWNED REAL PROPERTY PURSUANT TO THE MISSION BAY PORT AGREEMENT TO LICENSE AND TO OPTION

Be it ordained by the People of the City and County of San Francisco:

Section 1. By Ordinance No. 60-91 the Board of Supervisors adopted, approved and authorized the execution of that certain "Development Agreement" (the Development Agreement"), by and between the City and County of San Francisco ("City") and Catellus Development Corporation ("Catellus"), which Development Agreement provides pursuant to Subsection 14.1(a) thereof, that the City and Catellus shall negotiate, document and prepare the "Mission Bay Port Agreement to License and to Option" consistent with the "Principles of Mission Bay Port Agreement to License and to Option" which are attached to the Development Agreement as Exhibit D thereto.

Section 2. In furtherance of the provisions of Section 14.1(a) of the Development Agreement, the City and Catellus have prepared the "Mission Bay Port Agreement to License and to Option" (a copy which is on file with the Clerk of the Board of Supervisors) which agreement (i) documents the terms and conditions under which Catellus shall enter into an agreement with the City acting through the City and County of San Francisco Port Commission (the "Port") to license a portion of certain real property owned by the City (the "Subject Property") which portion is specifically described therein and the City shall grant to Catellus two (2) options to license such other portions of the remainder of the Subject Property (also specifically described therein) as are selected by Catellus

pursuant to said agreement and (is consistent with the Principles of the Mission Bay Port Agreement to License and to Option.

Section 3. Pursuant to Planning Commission Resolution No. 13017, the Planning Department found that the Development Agreement (including the Principles of the Mission Bay Port Agreement to License and to Option) and the licensing and the granting of options to license the Subject Property by the Port to Catellus provided for in the Development Agreement, subject to the terms and conditions of the Principles of Mission Bay Port Agreement to License and to Option, is consistent with the Master Plan, the Central Waterfront Plan and the Priority Policies enumerated in San Francisco Planning Code Section 101.1.

Section 4. The Board of Supervisors hereby approve the Mission Bay Port Agreement to License and to Option including any additions or modifications thereto (including the attachment of Exhibits) that the Mayor and the Port Director determine are in the best interests of the City and are necessary or advisable to complete the transactions contemplated in the Port Agreement to License and to Option.

Section 5. The Board of Supervisors hereby approve the provisions of the Mission Bay Port Agreement to License and to Option that impose indemnification obligations on the Port.

Section 6. The Mayor and the Port Director, and to the extent necessary, the Clerk of the Board of Supervisors or any other City officer, to take any and all actions, including executing on behalf of the City any memoranda approving the form of Exhibits to the Port Agreement to License and to Option or any closing or similar documents and any contracts, agreements, memoranda or similar documents with State, regional and local

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entities, that are necessary or proper to achieve the purposes and objectives of the Port Agreement to License and to Option and the Development Agreement, if the Mayor and Port Director or other City officer determine that the action is necessary or advisable to consummate the transactions contemplated in the Port Agreement to License and to Option.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: _____
JOHN J. PIZZA
Port General Counsel

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
February 3, 1992	February 10, 1992
Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisor Britt	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No.
255-91-1

FEB 20 1992
Date Approved

_____
Mayor

AMENDMENT OF THE WHOLE

FILE NO. 255-91-2

ORDINANCE NO. 52-92

(Mission Bay Port Land Transfer Agreement)

AUTHORIZING TRANSFER OF CITY-OWNED REAL PROPERTY AND ACQUISITION OF CERTAIN REAL PROPERTY PURSUANT TO THE MISSION BAY PORT LAND TRANSFER AGREEMENT

Be it ordained by the people of the City and County of San Francisco:

Section 1. By Ordinance No. 60-91 the Board of Supervisors adopted, approved and authorized the execution of that certain "Development Agreement" (the "Development Agreement"), by and between the City and County of San Francisco ("City") and Catellus Development Corporation ("Catellus"), which Development Agreement provides in to Subsection 14.1(a) thereof, that the City and Catellus shall negotiate, document and prepare the "Mission Bay Port Land Transfer Agreement" consistent with the "Principles of Mission Bay Port Land Transfer Agreement" which are attached to the Development Agreement as Exhibit C thereto.

Section 2. In furtherance of the provisions of Section 14.1(a) of the Development Agreement, the City and Catellus have prepared the "Mission Bay Port Land Transfer Agreement" (a copy of which is on file with the Clerk of the Board of Supervisors) which agreement (the "Port Land Transfer Agreement") (i) documents the terms and conditions under which the City acting through the City and County of San Francisco Port Commission (the "Port") shall convey to Catellus the "Port Transfer Parcels" and the deeds to the "Port Quitclaim Land" and

Catellus and the State of California shall convey to the Port the "Western Pacific Property" and the deeds to the "Catellus Quitclaim Land" as described therein, (ii) includes and incorporates as an exhibit thereto that certain "Agreement Concerning the Public Trust", and (iii) is consistent with the Principles of City Land Transfer Agreement.

Section 3. Prior to and in connection with its adoption of the Development Agreement, the Board of Supervisors reviewed and considered information, data and the analysis of the Director of Property regarding the respective fair market values of the Port Transfer Parcels and the Catellus Transfer Parcels.

Section 4. The City Planning Commission has found (pursuant to its Resolution No. 13017) that the Development Agreement (including the Principles of Port Land Transfer Agreement) and the conveyance by the Port to Catellus of the Port Transfer Parcels and the deeds to the Port Quitclaim Land and the conveyance by Catellus to the Port of the Catellus Transfer Parcels and the deeds to the Catellus Quitclaim Land provided for in the Development Agreement, subject to the terms and conditions of the Principles of the Port Land Transfer Agreement, is consistent with the Master Plan.

Section 5. In accordance with the recommendation of the Director of Property, and the recommendation of the San Francisco Port Commission (set forth in its Resolution No. 91-109) and to further implement the policies and requirements of the

Development Agreement, the Board of Supervisors hereby declares that the public interest and necessity require and are not inconvenienced by the conveyance of the Port Transfer Parcels and the deeds to the Port Quitclaim Land as contemplated by the Port Land Transfer Agreement.

Section 6. On February 14, 1992 the Board of Supervisors adopted Resolution No. 119-92 making certain findings regarding the conveyances and transfers contemplated by the Port Land Transfer Agreement pursuant to Chapter 1143 of the Statutes of 1991, Chapter 310 of the Statutes of 1987 and Chapter 1333 of the Statutes of 1968.

Section 7. The Board of Supervisors hereby approves the Port Land Transfer Agreement and authorizes the Mayor and the Clerk of the Board of Supervisors to execute on behalf of the City and County of San Francisco the Port Land Transfer Agreement and the deeds to the Port Transfer Parcels and the deeds to the Port Quitclaim Land including any additions or modifications thereto (including the attachment of Exhibits) that the Mayor and the Port Director determine are in the best interests of the City and are necessary or advisable to complete the transactions contemplated in the Port Land Transfer Agreement.

Section 8. The Board of Supervisors hereby authorizes the Director of Property to accept on behalf of the City and the Port, the deeds to the Western Pacific Property and the deeds to the Catellus Quitclaim Land, subject to the terms and conditions

set forth in the Port Land Transfer Agreement (and such non-material modifications thereto as may hereafter be agreed upon by the Port and Catellus).

Section 9. The Board of Supervisors hereby authorizes and directs the Mayor and the Port Director, and to the extent necessary, the Clerk of the Board of Supervisors or any other City officer, to take any and all actions, including executing on behalf of the City any memoranda approving the form of Exhibits to the Port Land Transfer Agreement, or any closing or similar documents and any contracts, agreements, memoranda or similar documents with State, regional and local entities, that are necessary or proper to achieve the purposes and objectives of the Port Land Transfer Agreement and the Development Agreement, if the Mayor and Port Director or other City officer determine that the action is necessary or advisable to consummate the transactions contemplated in the Port Land Transfer Agreement.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Kenneth S. Taymor
KENNETH S. TAYMOR
Special Assistant
to the City Attorney

APPROVED

Director of Property

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
February 3, 1992	§	February 10, 1992
	§	
	§	
Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward	§	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
	§	
Absent: Supervisor Britt	§	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
255-91-2

FEB 20 1992
Date Approved

Mayor

DOCUMENTS DEPT.
MAR 1 6 1992

AMENDMENT OF THE WHOLE

FILE NO. 255-91-3

ORDINANCE NO. 53-92

(Mission Bay City Land Transfer Agreement)

AUTHORIZING TRANSFER OF CITY-OWNED REAL PROPERTY AND ACQUISITION OF CERTAIN REAL PROPERTY PURSUANT TO THE MISSION BAY CITY LAND TRANSFER AGREEMENT

Be it ordained by the people of the City and County of San Francisco:

Section 1. By Ordinance No. 60-91 the Board of Supervisors adopted, approved and authorized the execution of that certain "Development Agreement" (the "Development Agreement"), by and between the City and County of San Francisco ("City") and Catellus Development Corporation ("Catellus"), which Development Agreement provides in Subsection 14.1(a) thereof that the City and Catellus, shall negotiate, document and prepare the "Mission Bay City Land Transfer Agreement" consistent with the "Principles of City Land Transfer" which are attached to the Development Agreement as Exhibit B thereto.

Section 2. In furtherance of the provisions of Section 14.1(a) of the Development Agreement, the City and Catellus have prepared the "Mission Bay City Land Transfer Agreement" (a copy of which is on file with the Clerk of the Board of Supervisors) which agreement (the "City Land Transfer Agreement") (i) documents the terms and conditions under which the City shall convey to Catellus the "City Transfer Parcels" and deliver to Catellus the deeds to the "City Quitclaim Land" and Catellus shall convey to the City the "Catellus Transfer Parcels"

and deliver to the City the deeds to the "Catellus Quitclaim Land" as described therein, (ii) includes and incorporates as an exhibit thereto that certain "Agreement Concerning the Public Trust", and (iii) is consistent with the Principles of City Land Transfer Agreement.

Section 3. Prior to and in connection with its adoption of the Development Agreement, the Board of Supervisors reviewed and considered information, data and the analysis of the Director of Property regarding the respective fair market values of the City Transfer Parcels and the Catellus Transfer Parcels.

Section 4. The City Planning Commission has found (pursuant to its Resolution No. 13017) that the Development Agreement (including the Principles of the City Land Transfer Agreement) and the conveyance by the City to Catellus of the City Transfer Parcels and the deeds to the City Quitclaim Land and the conveyance by Catellus to the City of the Catellus Transfer Parcels and the deeds to the Catellus Quitclaim Land provided for in the Development Agreement, subject to the Principles of the City Land Transfer Agreement, is consistent with the Master Plan, the Central Waterfront Plan and the Priority Policies set forth in San Francisco Planning Code section 101.1.

Section 5. In accordance with the recommendation of the Director of Property and the San Francisco Port Commission (by its Resolution No. 91-108) and, to further implement the policies and requirements of the Development Agreement, the Board

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of Supervisors hereby declares that the public interest and necessity require and are not inconvenienced by the conveyance of the City Transfer Parcels and the deeds to the City Quitclaim Land as contemplated by the City Land Transfer Agreement.

Section 6. On February 14, 1992 the Board of Supervisors adopted Resolution No. 119-92 finding and determining that the conveyances and transfers contemplated by the City Land Transfer Agreement are consistent with the provisions of Chapter 1143 of the Statutes of 1991, Chapter 310 of the Statutes of 1987 and Chapter 1333 of the Statutes of 1968.

Section 7. The Board of Supervisors hereby approves the City Land Transfer Agreement and authorizes the Mayor and the Clerk of the Board of Supervisors to execute, on behalf of the City, the deeds to the City Transfer Parcels and the deeds to the "City Quitclaim Land," and the City Land Transfer Agreement (including any additions or modifications thereto (including the attachment of Exhibits) that the Mayor and the Director of Property determine are in the best interests of the City and are necessary or advisable to complete the transactions contemplated in the City Land Transfer Agreement).

Section 8. The Board of Supervisors hereby authorizes the Director of Property to accept on behalf of the City, the deeds to the Catellus Transfer Parcels and the deeds to the Catellus Quitclaim Land, subject to the terms and conditions set forth in the Mission Bay City Land Transfer Agreement (and such

non-material modifications thereto as may hereafter be agreed upon by the City and Catellus).

Section 9. The Board of Supervisors hereby authorizes and directs the Mayor and the Director of Property, and to the extent necessary, the Clerk of the Board of Supervisors, the Port Director or any other City officer, to take any and all actions, including executing on behalf of the City any memoranda approving the form of Exhibits to the City Land Transfer Agreement, or any closing or similar documents and any contracts, agreements, memoranda or similar documents with State, regional and local entities, that are necessary or proper to achieve the purposes and objectives of the City Land Transfer Agreement and the Development Agreement, if the Mayor and Director of Real Property or other City officer determine that the action is necessary or advisable to consummate the transactions contemplated in the City Land Transfer Agreement.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Kenneth S. Taymor
KENNETH S. TAYMOR
Special Assistant
to the City Attorney

APPROVED

Director of Property

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
February 3, 1992	§	February 10, 1992
	§	
	§	
Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward	§	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
	§	
Absent: Supervisor Britt	§	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
255-91-3

FEB 20 1992
Date Approved

Frank M. Jordan
Mayor

DOCUMENTS DEPT.

MAR 1 6 1992

FILE NO. 172-92-2 ORDINANCE NO. 54-92

[Western Systems Power Pool Agreement]

AUTHORIZING EXECUTION OF THE WESTERN SYSTEMS POWER POOL AGREEMENT FOR SHORT TERM ECONOMY ENERGY TRANSACTIONS; WAIVING REQUIREMENT OF SECTION 12I.5(b) OF THE SAN FRANCISCO ADMINISTRATIVE CODE THAT EVERY CONTRACT SHALL CONTAIN A STATEMENT URGING COMPANIES NOT TO USE TROPICAL HARDWOOD PRODUCTS; AND WAIVING REQUIREMENT OF SECTION 12F.5 OF THE SAN FRANCISCO ADMINISTRATIVE CODE THAT EVERY CONTRACT SHALL CONTAIN A STATEMENT ENCOURAGING COMPANIES DOING BUSINESS IN NORTHERN IRELAND TO ABIDE BY THE MACBRIDE PRINCIPLES.

Be it ordained by the People of the City and County of San Francisco:

Section 1. FINDINGS. The Board of Supervisors hereby finds and declares that:

(1) In periods of drought the City and County purchases supplemental energy to conserve water in its reservoirs.

(2) Currently these purchases are made from Pacific Gas and Electric Company ("PG&E") at prices reflecting the firm nature of the power supplied.

(3) Under some conditions there are economy energy sources on the spot market that are more advantageous to the City and County than PG&E.

(4) In non-dry years, the City and County may generate power in excess of the needs of the City and County and the Modesto and Turlock Irrigation Districts. Historically PG&E has

given the City and County access to PG&E customers for the purpose of selling this excess power.

(5) The City and County has an obligation under the long term agreement with PG&E to search for other buyers of excess power.

(6) The Western Systems Power Pool is an organization of over forty publicly owned and private utilities that have signed an agreement approved by the Federal Energy Regulatory Commission to facilitate economy energy transfers.

(7) The Western Systems Power Pool agreement is unique in offering to the City and County the only efficient means of ascertaining immediate supply and demand for supplemental energy on the spot market.

(8) Membership in the Western Systems Power Pool will result in substantial financial savings to the City and County.

(9) Due to the large number of utilities which have already signed the Western Systems Power Pool membership agreement and the fact that the form of the contract has been previously approved by the Federal Energy Regulatory Commission, Hetch Hetchy Water and Power has determined that it would be impossible to revise the contract to contain statements required by San Francisco Administrative Code § 12I.5(b) and § 12F.5.

Section 2. The General Manager of the Public Utilities Commission is hereby authorized to execute the Western Systems Power Pool agreement for a short term economy energy transfers, a

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copy of which has been filed with the Board of Supervisors.

Section 3. WAIVERS. For the purposes of the Western System Power agreement:

(1) The Board of Supervisors hereby waives the requirement of San Francisco Administrative Code § 12I.5(b), requiring every contract to contain a statement urging companies not to import, purchase, obtain, or use for any purpose, any tropical hardwood or tropical hardwood product.

(2) The Board of Supervisors hereby waives the requirement of San Francisco Administrative Code § 12F.5, requiring every contract to contain a statement urging companies doing business in Northern Ireland to abide by the MacBride Principles, and urging San Francisco companies to do business with corporations that abide by the MacBride Principles.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Christiane Hayashi Tripp
CHRISTIANE HAYASHI TRIPP
Deputy City Attorney

9908P
PUBLIC UTILITIES COMMISSION

BOARD OF SUPERVISORS

cc

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
February 3, 1992	February 10, 1992
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
172-92-2

FEB 20 1992
Date Approved

Mayor

FILE NO. 62-91-1.1 ORDINANCE NO. 55-92

(LEASE AMENDMENT)

APPROVING AMENDMENTS TO THE CAMP MATHER MUSIC FESTIVAL LEASE BETWEEN THE RECREATION AND PARK COMMISSION OF THE CITY AND COUNTY OF SAN FRANCISCO AND CHARLES CRAN, DBA: STRAWBERRY MUSIC, INC., FOR SWITCHING THE MID-SEPTEMBER EVENT TO LABOR DAY WEEKEND AT CAMP MATHER, TUOLUMNE COUNTY, CALIFORNIA.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Amendments to the Camp Mather Music Festival lease between the Recreation and Park Commission of the City and County of San Francisco and Charles Cran, dba: Strawberry Music, Inc., for switching the mid-September event to Labor Day weekend at Camp Mather, effective at the 1992 Fall season, a copy of which is on file with the Clerk of the Board of Supervisors and to which reference is hereby made, is hereby approved.

RECOMMENDED:

(For)
Mary E. Burns, General Manager
Recreation and Park Department

Shauna Marie Rose, Secretary
Recreation and Park Commission

APPROVED AS TO FORM:
Louise H. Renne, City Attorney

Mara E. Rosales, Deputy City Attorney

(LEASE AMENDMENT)

APPROVING AMENDMENTS TO THE CAMP MATHER MUSIC FESTIVAL LEASE BETWEEN THE RECREATION AND PARK COMMISSION OF THE CITY AND COUNTY OF SAN FRANCISCO AND CHARLES CRAN, DBA: STRAWBERRY MUSIC, INC., FOR SWITCHING THE MID-SEPTEMBER EVENT TO LABOR DAY WEEKEND AT CAMP MATHER, TUOLUMNE COUNTY, CALIFORNIA.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Amendments to the Camp Mather Music Festival lease between the Recreation and Park Commission of the City and County of San Francisco and Charles Cran, dba: Strawberry Music, Inc., for switching the mid-September event to Labor Day weekend at Camp Mather, effective at the 1992 Fall season, a copy of which is on file with the Clerk of the Board of Supervisors and to which reference is hereby made, is hereby approved.

RECOMMENDED:

(For)
Mary E. Burns, General Manager
Recreation and Park Department

Shauna Marie Rose, Secretary
Recreation and Park Commission

APPROVED AS TO FORM:
Louise H. Renne, City Attorney

Mara E. Rosales, Deputy City Attorney

DOCUMENTS DEPT.

MAR 6 - 1992

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CC

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
February 3, 1992	February 10, 1992
Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisors Alioto Britt Maher	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
62-91-1.1

FEB 20 1992
Date Approved

Carol M. Jordan
Mayor

Amended in Cmte. 1/29/92.

FILE NO. 97-91-48 ORDINANCE NO. 56-92

(Tow Reimbursement and Disputed Claims for Towed Vehicles)

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTIONS 10C.1, 10C.4, 10C.5, 10C.6, 10C.7, 10C.8, and 10C.12 THEREOF, AUTHORIZING THE DEPARTMENT OF PARKING AND TRAFFIC TO PAY REIMBURSEMENT FOR TOWING AND STORAGE OF VEHICLES; AUTHORIZING A PERSON DESIGNATED BY THE CHIEF OF POLICE AND THE DIRECTOR OF THE DEPARTMENT OF PARKING AND TRAFFIC TO PAY REIMBURSEMENTS NOT TO EXCEED THE AMOUNT AUTHORIZED BY PAYMENT OF CLAIMS IN SECTION 10.21 OF THE ADMINISTRATIVE CODE; AND ADDING SECTIONS 10.151-1 AND 10.169-2 THERETO, CREATING CASH REVOLVING FUNDS FOR PAYMENT OF TOWING AND STORAGE REIMBURSEMENTS.

NOTE: Additions or substitutions are underlined; deletions are indicated by ((double parentheses))

Be it ordained by the people of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by amending Sections 10C.1, 10C.4, 10C.5, 10C.6, 10C.7, 10C.8 and 10C.12 thereof, to read as follows:

SEC. 10C.1. REIMBURSEMENT FOR TOW ON VEHICLES; CONDITIONS THEREFOR. (1) Except as provided in Sections 10C.8 and 10C.8-1, fees, charges or costs imposed for the towing or storage of vehicles or the amount charged for removal of components of a vehicle may be reimbursed to the owner or person in lawful possession of the vehicle if the fees, charges or costs were incurred:

(a) Because the subject vehicle was towed and stored at the order of the San Francisco Police Department to examine the vehicle for evidence of a crime;

(b) Because the subject vehicle was towed and stored by order of the San Francisco Police Department or the Department of Parking and Traffic and said towing or storage was not authorized by any of the several provisions of the Vehicle Code of the State of California;

(c) Because officers, agents or employees of the San Francisco Police Department or the Department of Parking and Traffic were negligent in reporting, filing, or recording the circumstances of the towing and storage of the vehicle;

(d) Because officers, agents or employees of the San Francisco Police Department or the Department of Parking and Traffic were negligent in reporting a vehicle as subject to towing or storage or ordering a vehicle towed and stored when, in fact, such vehicle was not subject to towing and storage; or

(e) Because a vehicle was towed or stored by order of the San Francisco Police Department or the Department of Parking and Traffic for removal of components of the vehicle, which components were placed on the vehicle in violation of Section 10751 of the Vehicle Code.

(2) Pursuant to the provisions of Sections 10C.8 and 10C.8-1, indigent owners of vehicles and victims of auto theft shall be exempt from paying fees, charges, or costs imposed for the towing and storage of the vehicle.

SEC. 10C.4. ((MAXIMUM AMOUNT OF REIMBURSEMENT. Except as provided in Section 10.C8-1, in no event shall any amount be reimbursed or any voucher issued to any owner or to one in lawful possession of a vehicle pursuant to the provisions of this Chapter, in excess of $100.)) PAYMENT OF REIMBURSEMENTS. The Chief of Police and the Director of the Department of Parking and Traffic shall designate a staff member of their departments to pay reimbursements not to exceed the amount authorized for payment of unlitigated claims under Section 10.21. Payments in

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excess of that amount shall be subject to approval of the Police Commission or the Parking and Traffic Commission and submitted to the Board of Supervisors for approval. Such payments shall be made from the Cash Revolving Fund as set forth in Sections 10.151-1 and 10.169-2.

SEC. 10C.5. TIME LIMIT TO REQUEST REIMBURSEMENT. Requests for reimbursement or exemption from payment of fees, charges or costs incurred must be presented to the Chief of Police or Director of the Department of Parking and Traffic on a form provided therefor, within one month of the date the fees, charges or costs accrue.

SEC. 10C.6. INFORMATION REQUIRED. Requests for reimbursement or a voucher shall be itemized, giving the full particulars of all the circumstances known to the complainant. The Chief of Police or the Director of the Department of Parking and Traffic may request such additional information as necessary to determine the legitimacy of the request or exemption.

SEC. 10C.7. EFFECT OF POLICY OF INSURANCE. No request for reimbursement or for a voucher, made pursuant to the provisions of this Chapter shall by considered by the Chief of Police or the Director of the Department of Parking and Traffic if the person requesting reimbursement or exemption has a policy of insurance that provides for reimbursement to the owner or one in lawful possession of the vehicle for towing and storage of vehicles or removal of component parts thereof under the same circumstances as the provisions of this Chapter.

SEC. 10C.8. INVESTIGATION BY CHIEF OF POLICE OR DIRECTOR OF THE DEPARTMENT OF PARKING AND TRAFFIC; INDIGENT OWNER. Should the owner of the vehicle or one in lawful possession sign an affidavit, under penalty of perjury, that said person is indigent

and does not immediately have the funds to pay the accrued towing, storage or removal of component fee, the Chief of Police or the Director of the Department of Parking and Traffic or his or her designee shall immediately make such investigation as necessary to ascertain if said indigent person is entitled to immediate possession of his or her auto without the payment of the fees incurred for towing, storage or removal of component parts of said auto.

(a) Should the Chief of Police, the Director of Parking and Traffic or his or her designee, after an investigation, decide that the towing, storage or removal of the component parts of an auto comes within the provisions of Section 10C.1(a),(b),(c), (d) or (e) of this Chapter and the owner of the vehicle or one in lawful possession signs an affidavit of indigency, the Chief of Police, the Director of Parking and Traffic or his or her designee shall issue a voucher directed to the person, firm or corporation having custody of the auto. Said voucher shall be on a form jointly approved by the Controller((and)), the Chief of Police((.))and the Director of the Department of Parking and Traffic.

(b) Upon presentation of this voucher to the person, firm or corporation having custody of the vehicle, the vehicle shall be repossessed by the person presenting the voucher, without further payment.

(c) The person, firm or corporation receiving the voucher may present the voucher to the office of the Police Department designated by the Chief of Police, or the office of the Department of Parking and Traffic designated by the Director of that Department, for payment of the fees stated on the voucher.

SEC. 10C.12. REPORTS BY THE CHIEF OF POLICE AND DIRECTOR

OF THE DEPARTMENT OF PARKING AND TRAFFIC. Each three months, the Chief of Police and the Director of Parking and Traffic shall forward to the Board of Supervisors a report containing the amount paid pursuant to the provisions of this Chapter, to whom paid and the justification therefor.

Section 2. The San Francisco Administrative Code is hereby amended by adding Sections 10.151-1 and 10.169-2 thereto, to read as follows:

SEC. 10.151-1. CASH REVOLVING FUND: TOW REIMBURSEMENTS - DEPARTMENT OF PARKING AND TRAFFIC: $26,250 ~~$35,000~~

1/29/92 BT

SEC. 10.169-2. CASH REVOLVING FUND: TOW REIMBURSEMENTS - SAN FRANCISCO POLICE DEPARTMENT: $48,750 ~~$65,000~~

APPROVED AS FORM:
LOUISE H. RENNE
City Attorney

By [signature]
Deputy City Attorney

BOARD OF SUPERVISORS

CC

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
February 3, 1992	February 10, 1992
Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisors Alioto Britt	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
Clerk

File No. 97-91-48

FEB 20 1992
Date Approved

[signature]
Mayor

Amended in Cmte. 1/29/92.

FILE NO. 101-91-40

ORDINANCE NO. 57-92

RO# 91134 SA# 60

1/29/92
BT

(GOVERNMENT FUNDING)

APPROPRIATING $17,501,272 FOR VARIOUS CAPITAL IMPROVEMENT PROJECTS, AIRPORT COMMISSION FOR FISCAL YEAR 1991-92, PLACING RESERVE ON $9,692,875.

Be it ordained by the People of the City and county of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1991-92 as follows:

Department And Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
30-700	Airport-Capital Improvement Fund		
Project 750-01	Groundside Improvements		
G.L. 301 (000786)	Unreserved Fund Balance	$6,402,485	
20-2030 (570614)	Capital Improvement Project		$6,402,485
	Total-Capital Improvement Fund	**$6,402,485**	**$6,402,485**
30-863	1967 Airport Bond Fund		
Project 300-01	Terminal Improvements		
G.L. 301 (022061)	Unreserved Fund Balance	$46,086	
Project 200-01	Airfield Facilities Improvement		
20-2030 (327510)	Capital Improvement Project		$46,086
	TOTAL	**$46,086**	**$46,086**
30-869	1975 Airport Bond Fund		
Project 300-01	Terminal Improvements		
G.L. 301 (022079)	Unreserved Fund Balance	$303,576	
20-2030 (327619)	Capital Improvement Project		$303,576
	TOTAL - 1975 Airport Bond	**$303,576**	**$303,576**
30-871	1977 Airport Bond Fund		
Project 200-01	Airfield Facilities Improvements		
G.L. 301 (007229)	Unreserved Fund Balance	$384,859	
20-2030 (327833)	Capital Improvement Project		$384,859
	TOTAL - 1977 Airport Bond Fund	**$384,859**	**$384,859**
30-872	1981 Airport Bond Fund		
Project 300-01	Terminal Improvements		
G.L. 301 (007237)	Unreserved Fund Balance	$1,708,415	
Project 300-01	Terminal Improvements		
20-2030 (573964)	Capital Improvement Project		$708,415
Project 500-01	Airport Support Area		
20-2030 (573964)	Capital Improvement Project		1,000,000
	TOTAL - 1981 Airport Bond Fund	**$1,708,415**	**$1,708,415**
30-873	1983 Airport Bond Fund - Series D		
Project 300-01	Airfield Improvements		
G.L. 301 (007245)	Unreserved Fund Balance	$1,958,161	
Project 300-01	Airfield Improvements		
20-2030 (574202)	Capital Improvement Project		$ 958,161
	TOTAL - 1983 Airport Bond Fund Series D	**$1,958,161**	**$1,958,161**

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Department And Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
30-874	1990 Series E Bond Fund		
Project 300-01	Terminal Improvements		
G.L. 301 (013128)	Unreserved Fund Balance	$6,697,690	
Project 200-01	Airfield Improvements		
20-2030 (572115)	Capital Improvement Project		$3,000,000
Project 300-01	Terminal Improvements		
20-2030 (572115)	Capital Improvement Projects		2,697,690
Project 400-01	Groundside Improvements		
20-2030 (572115)	Capital Improvement Project		1,000,000
	TOTAL - 1990 Series E Bond Fund	$ 6,697,690	$ 6,697,690
	GRAND TOTAL	$17,501,272	$17,501,272

1/29/92
BT

Section 2. Funds in amount $9,692,875 are held in reserve pending release by the Finance Committee pending the provision of contractual information, including the contractual amount and MBE/WBE participation.

Approved As To Form:
Louise H. Renne, City Attorney

By: _____
Deputy City Attorney

Funds Available:

_____
Controller

Ernie.21

BOARD OF SUPERVISORS

CC

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
February 3, 1992	February 10, 1992
Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisor Britt	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No.
101-91-40

FEB 20 1992
Date Approved

_____
Mayor

Amended in Cmte. 1/29/92.

FILE NO. 101-91-43

ORDINANCE NO. 58-92

CC

RO# 91137 SA# 54

(GOVERNMENT FUNDING)

1/29/92 BT APPROPRIATING ~~$35,000~~ $26,250 TO INCREASE REVOLVING FUND AND RESCINDING ~~$35,000~~ $26,250 FROM CLAIMS & JUDGEMENT, DEPARTMENT OF PARKING AND TRAFFIC FOR FISCAL YEAR 1991-92.

Be it ordained by the People of the City and county of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1991-92 as follows:

Department And Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
01-001	General Fund		
97-09-00	General City Responsibility		
1/29/92 BT 14-1450 (309138)	Judgements and Claims	~~$35,000~~ $26,250	
36-03-00	Enforcement		
16-1951 (353250)	Increasing Revolving Fund		~~$35,000~~ $26,250

Approved As To Form:
Louise H. Renne, City Attorney

By: BGW
Deputy City Attorney

Funds Available:

John Wheadon
Controller

Emla 24

Board of Supervisors, San Francisco

Passed for Second Reading
February 3, 1992

Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Ward

Absent: Supervisors Britt Shelley

Finally Passed
February 10, 1992

Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No. 101-91-43

FEB 20 1992
Date Approved

Frank M. Jordan
Mayor

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Amended in Cmte. 1/29/92.

FILE NO. 101-91-44

ORDINANCE NO. 59-92

CC

RO # 91139 SA # 23

(Government Funding)

1/29/92 BT APPROPRIATING $48,750 ~~$65,000~~ TO INCREASE REVOLVING FUND AND RESCINDING $48,750 ~~$65,000~~ FROM JUDGEMENTS AND CLAIMS, POLICE DEPARTMENT FOR FOR FISCAL YEAR 1991-92.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1991-92 as follows:

Department And Number	Source Of Funds And Purpose of Appropriation	Amount Debit	Amount Credit
01-001	General Fund		
97-09-38	General City Responsibility		
1/29/92 BT 14-1450 (309781)	Judgements and Claims	$48,750 ~~$65,000~~	
38-02-52	Traffic		
16-1951 (580175)	Increase Revolving Fund		$48,750 ~~$65,000~~

Approved As To Form
Louise H. Renne, City Attorney

BY: [signature]
Deputy City Attorney

Funds Available

[signature]
Controller

Ernie.38

Board of Supervisors, San Francisco

Passed for Second Reading		Finally Passed
February 3, 1992		February 10, 1992
Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Ward		Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisors Britt Shelley		

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
Clerk

File No. 101-91-44

FEB 20 1992
Date Approved

[signature]
Mayor

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FILE NO. 101-91-45

ORDINANCE NO. 60-92

CC

RO # 91140 SA # 64

(Government Funding)

APPROPRIATING $44,000 FOR OTHER CONTRACTUAL SERVICES, SOCIAL SERVICES FOR FOR FISCAL YEAR 1991-92.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1991-92 as follows:

Department And Number	Source Of Funds And Purpose of Appropriation	Amount Debit	Amount Credit
01-001	General Fund		
63-6308 (040824)	Independent Living Program - Federal	$44,000	
45-00-00	Family and Children Services		
10-1269 (640037)	Other Contractual Services		$44,000

Approved As To Form
Louise H. Renne, City Attorney

BY: BEwt
Deputy City Attorney

Funds Available

for Controller

Board of Supervisors, San Francisco

Passed for Second Reading

February 3, 1992

Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward

Absent: Supervisors Alioto Britt Maher

Finally Passed

February 10, 1992

Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 101-91-45

FEB 20 1992
Date Approved

Frank M. Jordan
Mayor

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FILE NO. 45-92-1

ORDINANCE NO. 61-92

RO #91143

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF WILLIAM E. HENRY AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $17,500.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "WILLIAM E. HENRY v. CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court No. 921-474, by the payment of $17,500.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

WILLIS CASEY, Chief
San Francisco Police Department

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 38
309781 1450 $17,500.00

JAN 13 1992

APPROVED:

SECRETARY
San Francisco Police Commission

CC

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
February 10, 1992	§	February 18, 1992
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward	§	Ayes: Supervisors Achtenberg Britt Hallinan Hsieh Kennedy Maher Migden Shelley Ward
	§	Absent: Supervisors Alioto Gonzalez

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-92-1

FEB 27 1992
Date Approved

Mayor

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FILE NO. 101-91-41

ORDINANCE NO. 62-92

RO# 91136 SA# 63

(GOVERNMENT FUNDING)

APPROPRIATING $86,169 FOR OTHER CONTRACTUAL SERVICES, MAYOR'S OFFICE FOR FISCAL YEAR 1991-92; providing for ratification of action previously taken.

Be it ordained by the People of the City and county of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1991-92 as follows:

Department And Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
01-001	General Fund		
G.L. 496 (000026)	Unappropriated Revenue Reserved		
Subsidiary 000006	General Reserve	$86,169	
25-22-00	Employee Relations Division		
10-1090 (324327)	Other Contractual Services		$86,169

Section 2. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

Approved As To Form:
Louise H. Renne, City Attorney

By: _____
Deputy City Attorney

Funds Available:

_____
Controller

Emle 23

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
February 10, 1992	February 18, 1992
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Shelley Ward	Ayes: Supervisors Achtenberg Britt Gonzalez Hallinan Hsieh Kennedy Maher Shelley Ward
Noes: Supervisor Migden	Noes: Supervisor Migden
	Absent: Supervisor Alioto

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No. 101-91-41

FEB 27 1992
Date Approved

_____
Mayor

MAR 1 1 1992

FILE NO. 101-91-46

ORDINANCE NO. 63-92
RO # 91144 SA # 65

(Government Funding)

APPROPRIATING $146,310 FOR RENTAL OF PROPERTY AND SERVICES OF OTHER DEPARTMENTS - REAL ESTATE SERVICE, SUPERIOR COURT FOR FISCAL YEAR 1991-92.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1991-92 as follows:

Department And Number	Source Of Funds And Purpose of Appropriation	Amount Debit	Amount Credit
02-010	Temporary Courthouse - Construction Fund		
10-00-00	Superior Court		
Project 001-01	Courthouse Temporary - Construction		
70-7002 (045690)	Court Filing Fees/Surcharge	$146,310	
Project 008-01	Temporary Courtroom Space		
14-1460 (316117)	Rental of Property		$131,310
30-3030	Services of Other Departments-Real Estate Service		15,000
	Total	$146,310	$146,310

Approved As To Form
Louise H. Renne, City Attorney

BY: Deputy City Attorney

Funds Available

for Controller

Brnie.97

CC

Board of Supervisors, San Francisco

Passed for Second Reading

February 10, 1992

Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward

Finally Passed

February 18, 1992

Ayes: Supervisors Achtenberg Britt Hallinan Hsieh Kennedy Maher Migden Shelley Ward

Absent: Supervisors Alioto Gonzalez

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No. 101-91-46

FEB 27 1992
Date Approved

Frank M. Jordan
Mayor

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MAR 4 1992

FILE NO. 264-91-2.1 ORDINANCE NO. 64-92

(Commission on the Status of Women)

AMENDING SAN FRANCISCO ADMINISTRATIVE CODE ARTICLE 33 PERTAINING TO THE COMMISSION ON THE STATUS OF WOMEN, BY ENLARGING THE COMMISSION'S POWERS AS SET FORTH IN SECTION 33.4 AND INCREASING COOPERATION WITH THE COMMISSION REQUIRED OF OTHER CITY AND COUNTY ENTITIES AS SET FORTH IN SECTION 33.10.

NOTE: Additions are indicated by underscoring, deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 33 of the San Francisco Administrative Code is hereby amended by amending Section 33.4 to read as follows:

SEC. 33.4. POWERS AND DUTIES. The Commission shall have the power and duty to:

(a) Prepare and disseminate educational and informational material relative to the role that tradition and prejudice and the deprivation of equal opportunities in areas such as education and employment have played in keeping women of all races, creeds, ages, marital status and sexual orientation from developing their full individual potentials and from contributing fully to the cultural and economic life of the community.

(b) Hold public hearings on matters relevant to the

general scope of the Commission, and to subpoena records and witnesses in connection with such hearings.

(c) Review national, state and local legislation which may have an impact on the status of women and recommend to the Mayor and the Board of Supervisors positions on significant legislation affecting the status of women.

(d) Develop and maintain a Talent Bank of Women which can be used in a variety of ways, including but not limited to assisting the Civil Service Commission in recruiting qualified women to serve as members of qualifications appraisal boards, and the Commission on the Status of Women in nominating qualified women for appointment by the Mayor to vacancies on boards and commissions of the City and County.

(e) Cooperate with and make recommendations to the Civil Service Commission in the development and implementation of programs and practices which have the purpose of furthering the objectives of this ordinance, including but not limited to recommendations regarding terminology used in job announcements, recruitment techniques, job qualifications, salary schedules, training and promotional practices.

(f) Encourage the Civil Service Department to recruit and implement employment of qualified women applicants for those positions filled through the Civil Service Department

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which traditionally employ few women.

(g) Study job categories which traditionally are filled primarily by women or primarily by men to determine whether the rate of compensation in the traditionally female jobs compares reasonably and favorably with the rate of compensation in the traditionally male jobs, taking into consideration the training, experience, mental and physical effort and responsibility required and the working conditions involved, and take necessary steps to implement equity.

(h) Study and make recommendations regarding the special employment problems of women stemming from the assignment to them of traditional roles such as responsibility for child rearing, including but not limited to the need for child care centers, on-the-job training and retraining for those who have been out of the employment market for extended periods and part-time employment opportunities.

(i) Cooperate with and make recommendations to law enforcement agencies and officials concerning the treatment of women in the City and County's correctional system, the enforcement of laws which have a particular impact on women, including but not limited to laws relating to domestic violence, rape and prostitution.

(j) Cooperate with and make recommendations to the

Community College District and to the San Francisco Unified School District on the development and implementation of programs and practices which have the purpose of furthering the objectives of this ordinance, including but not limited to recommendations concerning in-service training, sex-role stereotyping in textbooks and courses and methods of providing role models for female students who may be interested in areas of employment not traditionally filled by women.

(k) Provide information, guidance and technical assistance to other public agencies and private persons, organizations and institutions engaged in activities and programs intended to eliminate prejudice and discrimination against women because of their status as women, and to serve as liaison between the public and private sectors on matters affecting women in the community.

(l) Advise the Civil Service Commission on the form of the annual census of City and County employees and members of boards and commissions regarding sex, race, salary level, job classification and other statistical data, and to develop an analysis of the data in regard to the areas of concern to the Commission.

(m) Cooperate with and make written recommendations to the Board of Supervisors, the Mayor, City and County agencies, boards and commissions and City and County

officials regarding the development and implementation of programs and practices for the purpose of furthering objectives of this ordinance, including but not limited to, recommendations with respect to improving the City and County's procedures for enforcing prohibitions against ((gender-based discrimination)) all forms of employment discrimination against women, including sexual harassment, within the City and County government and with its contractors.

(n) Investigate and mediate, at the request of a party and within the limitations of staff time and resources, all incidents of discrimination against women because of their status as women which are not within the exclusive jurisdiction of some federal or state agency or the Human Rights Commission, and make specific recommendations to the involved parties as to the methods for eliminating discrimination against women.

(o) Prepare, encourage and coordinate programs of voluntary action to reduce or eliminate existing inequalities and disadvantages in both the public and private sector resulting from prejudice, tradition and past discrimination.

(p) Oversee and administer funds allocated to the Commission for domestic violence programs.

(q) Review the programs and budget of any other City

and County department or agency where there are reasonable grounds for believing that department or agency is not complying with this Article or is otherwise not protecting the rights of women fully; and, if necessary, to request the Controller to perform a management or budget audit with respect to those deficiencies.

(r) Monitor the reports of complaints of ((gender-based discrimination)) all forms of employment discrimination against women (including sexual harassment) received and forwarded by the Civil Service Commission and all other agencies, departments, boards and commissions of the City and County pursuant to Administrative Code Section 33.10, and consult with and make recommendations to the Civil Service Commission and all agencies, departments, boards and commissions of the City and County concerning the handling of such complaints.

(s) Assist in the preparation of training programs and materials with respect to ((gender-based)) employment discrimination against women, including sexual harassment, for City and County departments and agencies.

(t) Study and monitor all agencies, departments, boards and commissions of the City and County to identify patterns and practices that have a discriminatory effect upon women.

Section 2. Chapter 33 of the San Francisco Administrative Code is hereby amended by amending Section 33.10 to read as

MAR 1 1 1992

follows:

SEC. 33.10 COOPERATION OF OTHER CITY AND COUNTY ENTITIES.

(a) The Mayor, Chief Administrative Officer and each commission, board, department and agency of the City and County shall fully cooperate with the Commission in fulfilling the provisions and purposes of this Article and shall regularly consult with the Commission on matters relating to women.

(b) The Civil Service Commission shall ((promptly report to the Commission concerning each complaint it receives of gender-based discrimination, including but not limited to sexual harassment)) make monthly reports to the Commission regarding all complaints of employment discrimination against women that it receives. The Civil Service Commission's monthly reports to the Commission on the Status of Women shall not contain information identifying the parties involved in the events giving rise to the complaint, but shall include: (1) the number of complaints filed that month; (2) the nature of each complaint filed; (3) the department, bureau or division in which each complaint arose; (4) the damages allegedly suffered with respect to each complaint; and (5) the status of all outstanding complaints ((all other relevant details)). The Civil Service Commission shall consult with the Commission concerning the manner in which such

complaints are handled. The Civil Service Commission and all other agencies, departments, boards and commissions of the City and County shall also send the Commission any and all reports ((the Civil Service Commission)) they make((s)) to the Board of Supervisors and/or the Mayor concerning ((gender-based)) any type of employment discrimination against women (including sexual harassment). The Civil Service Commission shall provide the Commission, upon request, access to pertinent, non-confidential personnel information with respect to current City and County employees and applicants for employment including, but not limited to: (1) an employee's or applicant's eligibility or certification status; and (2) any workforce utilization or salary analysis performed by the Civil Service Commission.

(c) The City Attorney shall submit to the Commission a monthly report of settlements, which includes lawsuits and claims filed by female employees of the City and County alleging employment discrimination. The report shall include: (1) the name of the case or claimant; (2) the nature of the case; (3) the damages allegedly suffered; and (4) the amount of the settlement. The City Attorney shall also provide, quarterly, a summary of litigation judgments in favor of and against the City and County, including all lawsuits filed by female employees alleging employment

discrimination. The City Attorney shall alert the Commission to the filing of any lawsuit against the City and County alleging any form of employment discrimination against women and shall provide a monthly report of all administrative claims filed against the City, including any claims alleging employment discrimination against women. Upon request, the City Attorney shall forward to the Commission a copy of any complaint or claim filed with or served upon the City Attorney.

(d) All agencies, departments, boards and commissions of the City and County, with the exception of the City Attorney, shall make monthly reports to the Commission regarding all complaints of employment discrimination filed by their female employees alleging any type of employment discrimination. The monthly report shall be filed by the 15th of each month, for the previous month, and shall include: (1) the number of complaints filed that month; (2) the nature of each complaint filed; (3) the bureau or division in which each complaint arose; (4) the damages allegedly suffered with respect to each complaint; and (5) the status of all outstanding complaints. All agencies, departments, boards and commissions of the City and County required to file such reports shall consult with the

/ / /

/ / /

Commission concerning the manner in which such complaints shall be handled.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Marcia M. Bailey
Deputy City Attorney

DOCUMENTS DEPT.

MAR 1 1 1992

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
February 10, 1992	§	February 18, 1992
	§	
	§	
Ayes: Supervisors Achtenberg Alioto	§	Ayes: Supervisors Achtenberg Britt
Britt Gonzalez Hallinan Hsieh	§	Gonzalez Hallinan Hsieh Kennedy
Maher Migden Shelley Ward	§	Maher Migden Shelley Ward
	§	
Absent: Supervisor Kennedy	§	Absent: Supervisor Alioto

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
264-91-2.1

FEB 28 1992
Date Approved

Mayor

FILE NO. 45-92-2

ORDINANCE NO. 65-92

RO #91150

CC

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF THOMAS L. YIP, ET AL., AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $150,000.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "Thomas L. Yip, et al. v. City and County of San Francisco, et al., San Francisco Superior Court No. 924-406," by the payment of $150,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

DEPARTMENT OF PUBLIC WORKS

for RICHARD EVANS
Director

FUNDS AVAILABLE:

CONTROLLER

01 001 97 09 90
309674 1450 $150,000.00

JAN 28 1992

APPROVED:

for CHIEF ADMINISTRATIVE OFFICER

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
February 18, 1992	§	February 24, 1992
Ayes: Supervisors Achtenberg Britt Hallinan Hsieh Kennedy Maher Migden Shelley Ward	§	Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisors Alioto Gonzalez	§	Absent: Supervisors Alioto Britt Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

ACTING Clerk

File No. 45-92-2

MAR 4 1992
Date Approved

Mayor

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MAR 11 1992

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FILE NO. 45-92-3 ORDINANCE NO. 66-92

[Settlement of Litigation by Grant of Easement]

AUTHORIZING SETTLEMENT OF MOJAVE PIPELINE COMPANY AND KERN RIVER GAS TRANSMISSION COMPANY V. CITY AND COUNTY OF SAN FRANCISCO, BY THE SALE OF A 50' WIDE BY 3,405' LONG NATURAL GAS PIPELINE EASEMENT OVER CITY-OWNED PROPERTY IN KERN COUNTY.

Be It Ordained by the People of the City and County of San Francisco:

Section 1. On June 28, 1991, the Mojave Pipeline Company and Kern River Gas Transmission Company filed a complaint in eminent domain against the City and County of San Francisco (Superior Court of California, County of Kern, Case No. 215680) to acquire an easement over City-owned property to lay a natural gas pipeline to serve in the recovery of heavy oil by means of the steam injection method. The route chosen for this project has been approved by the Federal Energy Regulatory Commission and the project is planned and located in a manner that is most compatible with the greatest public good and least private injury.

Section 2. In accordance with the recommendation of the Recreation and Park Commission, the General Manager of the Recreation and Park Department, the Library Commission, the City Librarian, the City Attorney and the Director of Property, the public interest and necessity require the settlement of the above action by the conveyance by the City and County of San Francisco to the Mojave Pipeline Company and Kern River Gas Transmission Company of the necessary pipeline easement for $10,625.

Section 3. The City Attorney is hereby authorized to settle the above action and the Mayor and the Clerk of the Board of Supervisors are authorized to execute a deed conveying the above property rights.

Section 4. The conveyance of the above property rights to Mojave Pipeline Company and Kern River Gas Transmission Company will not affect the City's Master Plan.

RECOMMENDED:

Mary E. Burns
General Manager
Recreation and Park Department

Pursuant to Rec-Park Commission
Resolution No. 16281

for Richard Walsh
City Librarian

Pursuant to Library Commission
Resolution No. 1580

Director of Property

APPROVED AS TO FORM:
Louise H. Renne, City Attorney

By Andrew W. Schwartz
Deputy City Attorney

3296

(Real Estate)
Board of Supervisors

MAR 1 1 1992
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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
February 18, 1992	February 24, 1992
Ayes: Supervisors Achtenberg Britt Hallinan Hsieh Kennedy Maher Migden Shelley Ward	Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisors Alioto Gonzalez	Absent: Supervisors Alioto Britt Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

ACTING Clerk

File No.
45-92-3

MAR 0 4 1992
Date Approved

Mayor

Amendment of the Whole 2/12/92.

FILE NO. 97-91-43 ORDINANCE NO. 67-92

[Prevailing Wages/Leases]

AMENDING CHAPTER 6 OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING SECTION 6.36-A THERETO, EXTENDING PREVAILING WAGE REQUIREMENTS TO CONSTRUCTION PROJECTS ON PRIVATELY OWNED PROPERTY LEASED BY THE CITY AND COUNTY, AS TENANT; EFFECTIVE JULY 1, 1992.

Note: This entire section is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 6 of the San Francisco Administrative Code is hereby amended by adding Section 6.36-A thereto as follows:

SEC. 6.36-A. PREVAILING WAGES FOR CONSTRUCTION WORK ON LEASED PROPERTY. For the limited purposes of the prevailing wage provisions of subsection (b) of Section 7.204 of the Charter, "public work or improvement" also means and includes any construction work done under private contract when all of the following conditions exist:

(a) The construction contract is between private persons.

(b) The property subject to the construction contract is privately owned, but upon completion of the construction work will be leased to the City and County of San Francisco for its use.

(c) Either of the following conditions exist:

(1) The lease agreement between the lessor and the City and County of San Francisco, as lessee, is entered into prior to the construction contract.

(2) The construction work is performed according to the plans, specification, or criteria furnished by the City and

SUPERVISOR HALLINAN, SHELLEY
BOARD OF SUPERVISORS

County of San Francisco, and the lease agreement between the lessor and the City and County of San Francisco as lessee, is entered into during, or upon completion, of the construction work.

Section 2. Charter Section 7.204 provides in pertinent part that every "contract for [a] public work or improvement . . . to be done directly under the contract awarded, or indirectly by or under subcontract . . . or any other arrangement whatsoever must provide that any person performing labor thereunder shall be paid not less than the highest general prevailing rate of wages." The Board of Supervisors hereby finds that Charter Section 7.204 is uncertain in its application to construction projects on property leased by the City and County, as tenant, particularly where the construction work consists of more than incidental tenant improvements of the type customarily provided by landlords. This legislation is intended to implement Charter Section 7.204 by clarifying the circumstances under which a construction project on property leased by the City and County, as tenant, qualifies as a "public work or improvement."

Section 3. This legislation is applicable only to leases executed and approved after July 1, 1992.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Theodore R. Lakey
Deputy City Attorney

BOARD OF SUPERVISORS

MAR 1 1 1992

CC

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
February 18, 1992	February 24, 1992
Ayes: Supervisors Achtenberg Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward	Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisor Alioto	Absent: Supervisors Alioto Britt Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No.
97-91-43

MAR 0 4 1992
Date Approved

Mayor

Amended in Cmte. 2/12/92.

FILE NO. 114-91-11 ORDINANCE NO. 68-92

(B.B.I. Fee Schedule)

AMENDING PART II, CHAPTER 1 OF THE SAN FRANCISCO MUNICIPAL CODE (BUILDING CODE) BY AMENDING SECTION 333.3 RELATING TO THE FEE FOR ENERGY REPORTS AND CERTIFICATES.

Note: Additions or substitutions are underlined
deletions are indicated by ((double parentheses))

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part II, Chapter 1, of the San Francisco Municipal Code (Building Code) is hereby amended by amending Section 333.3 thereof to read as follows:

ENERGY CONSERVATION FEE SCHEDULE

Sec. 333.3.

	Initial Inspection	Compliance Inspection
Single Family Dwellings and Two Family Dwellings	$49.50	$24.75
Apartment Houses and Residential Hotels		
up to 20 rooms	$55.50	$27.25
20 to 29 rooms	$66.50	$32.50
30 to 39 rooms	$79.75	$39.50
40 to 49 rooms	$88.25	$44.25
50 to 59 rooms	$99.00	$49.50
60 rooms or over	$111.00	$55.50
Energy Reports and Certificates:		((($ 5.25)) ~~$19.26~~ $9.50
Filing Fee for appeals:		$41.00
Certification of qualified energy inspector		$19.50

2/12/92 HT

APPROVED AS TO FORM:
Louise H. Renne
City Attorney

Judith A. Boggian
Deputy City Attorney

RECOMMENDED

Deputy Director and
City Engineer

DESCRIPTION APPROVED

Superintendent
Bureau of Building Inspection

RECOMMENDED

Director of Public Works

APPROVED

Chief Administrative
Officer

DOCUMENTS DEPT.
MAR 1 1 1992

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
February 18, 1992	$	February 24, 1992
	$	
	$	
Ayes: Supervisors Achtenberg Britt Gonzalez Hallinan Kennedy Maher Migden Shelley Ward	$	Ayes: Supervisors Achtenberg Gonzalez Hallinan Kennedy Migden Shelley Ward
	$	
Noes: Supervisor Hsieh	$	Noes: Supervisor Hsieh
	$	
Absent: Supervisor Alioto	$	Absent: Supervisors Alioto Britt Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

ACTING Clerk

File No.
114-91-11

MAR 0 4 1992
Date Approved

Mayor

FILE NO. 121-91-6 As Amended in Committee February 11, 1992. ORDINANCE NO. 69-92

CC

[Tour Bus Restriction]
AMENDING PART II, CHAPTER VIII OF THE SAN FRANCISCO MUNICIPAL CODE (POLICE CODE), ADDING SECTION 1183.20 REGARDING TOUR BUS RESTRICTIONS ON 26TH AVENUE EXCEPT THAT TOUR BUSES AND VANS OF 6,000 POUNDS OR LESS MAY OPERATE ON 26TH AVENUE BETWEEN GEARY BOULEVARD AND CALIFORNIA STREET.

2/11/92 mlr

Note: Additions are underlined.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Article 16, Part II, Chapter Viii of the San Francisco Municipal Code (Police Code) is hereby amended by adding thereto Section 1183.20 to read as follows:

2/11/92 mlr

Sec. 1183.20 RESTRICTED AREAS. 26th Avenue, between Geary Boulevard and California Street, except that tour buses and vans of 6,000 pounds or less in weight may operate on 26th Avenue between Geary Boulevard and California Street.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Theodore R. Lakey
Deputy City Attorney

(See File for Departmental signatures)

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
February 18, 1992	§	February 24, 1992
Ayes: Supervisors Achtenberg Hallinan Hsieh Kennedy Maher Migden Shelley Ward	§	Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisors Alioto Britt Gonzalez	§	Absent: Supervisors Alioto Britt Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Mary Anne Baker
ACTING Clerk

File No. 121-91-6

MAR 04 1992
Date Approved

Frank M. Jordan
Mayor

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MAR 11 1992
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FILE NO. 121-92-1 ORDINANCE NO. 70-92

(Advertising Vehicles)

AMENDING PART II, CHAPTER VIII OF THE SAN FRANCISCO MUNICIPAL CODE (POLICE CODE) BY REPEALING SECTIONS 680 THROUGH 682.7 THEREOF, REGULATING THE OPERATION OF ADVERTISING VEHICLES ON CITY STREETS, AND ADDING A NEW SECTION 680 THERETO, PROHIBITING THE OPERATION OF ADVERTISING VEHICLES ON CITY STREETS.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Sections 680 through 682.7 of Part II, Chapter VIII of the San Francisco Municipal Code (Police Code) are hereby repealed.

Section 2. Part II, Chapter VIII of the San Francisco Municipal Code (Police Code) is hereby amended by adding a new Section 680 thereto, to read as follows:

NOTE: All language is new.

SEC. 680. ADVERTISING VEHICLES PROHIBITED ON CITY STREETS.

No person may exhibit, post or carry any banner, placard, poster, card, picture, sign or advertising display that proposes a commercial transaction on or by means of a motor vehicle in or on any public street in the City and County of San Francisco, unless the vehicle is being used primarily to transport passengers or goods.

/ / /

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

Deputy City Attorney

2000g

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MAR 1 1 1992
Public Library

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
February 18, 1992	§	February 24, 1992
	§	
	§	
Ayes: Supervisors Achtenberg	§	Ayes: Supervisors Achtenberg
Hallinan Hsieh Kennedy Maher	§	Gonzalez Hallinan Hsieh Kennedy
Migden Shelley Ward	§	Migden Shelley Ward
	§	
Absent: Supervisors Alioto Britt	§	Absent: Supervisors Alioto Britt
Gonzalez	§	Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

ACTING Clerk

File No.
121-92-1

MAR 0 4 1992
Date Approved

Mayor

FILE NO. 170-92-2 ORDINANCE NO. 71-92

(Equipment Lease)

PROVIDING FOR THE APPROVAL AND EXECUTION AND DELIVERY BY OFFICERS OF THE CITY AND COUNTY OF SAN FRANCISCO OF AN EQUIPMENT LEASE SUPPLEMENT NO. 1 BETWEEN THE CITY AND COUNTY OF SAN FRANCISCO FINANCE CORPORATION, AS LESSOR AND THE CITY AND COUNTY OF SAN FRANCISCO, AS LESSEE WITH RESPECT TO EQUIPMENT TO BE USED FOR CITY PURPOSES; AND APPROVING THE ISSUANCE OF LEASE REVENUE BONDS BY SAID NONPROFIT CORPORATION; AND PROVIDING THAT SAID BONDS SHALL BE SUBJECT TO THE CERTIFICATION OF THE CONTROLLER OF THE CITY AND COUNTY OF SAN FRANCISCO PRIOR TO THE SALE OF SAID BONDS; AND PROVIDING FOR THE EXECUTION OF DOCUMENTS IN CONNECTION THEREWITH AND RATIFYING PREVIOUS ACTIONS TAKEN IN CONNECTION THEREWITH.

WHEREAS, pursuant to Section 7.309(c)(3) of the Charter of the City and County of San Francisco (the "Charter") as approved by the voters of the City in June 1990, the Board of Supervisors of the City and County of San Francisco (the "Board") may approve lease financings involving a nonprofit corporation established for such purposes for the acquisition of equipment, the obligations with respect to which shall not exceed in the aggregate at one time a principal amount of $20 million increased by five percent in each fiscal year provided that the Controller of the City and County of San Francisco makes the required certification prior to the sale of such obligations; and

WHEREAS, the City and County of San Francisco Finance Corporation (the "Corporation"), a California nonprofit public

benefit corporation, has been formed to among other purposes serve as the nonprofit corporation pursuant to Section 7.309(c)(3) of the Charter; and

WHEREAS, the Board has previously entered into an equipment lease (the "Equipment Lease") with the Corporation to provide for the acquisition, construction and installation of equipment to be used for City purposes by the Corporation and the leasing of said equipment and certain equipment subject to existing leases to the City; and

WHEREAS, the Board has determined to enter into an Equipment Lease Supplement No. 1 (Series 1992A Bonds) to provide for the acquisition, construction and installation of additional equipment to be used for City purposes by the Corporation and the leasing of said equipment to the City; and

WHEREAS, the Corporation proposes to issue lease revenue bonds secured by base rentals to be paid by the City and County of San Francisco (the "City") under the Equipment Lease as modified by said Equipment Lease Supplement No. 1 (Series 1992A Bonds);

BE IT ORDAINED BY THE PEOPLE OF THE CITY AND COUNTY OF SAN FRANCISCO:

Section 1. In accordance with the recommendation of the Chief Administrative Officer of the City, the form of the Equipment Lease Supplement No. 1 (Series 1992A Bonds) (the "Equipment Lease Supplement") by and between the Corporation and the City

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and the related Certificate of Approval presented to this Board, copies of which are on file with the Clerk of the Board, are hereby approved. The Chief Administrative Officer of the City is hereby authorized to execute the Equipment Lease Supplement and the related Certificate of Approval, and the Clerk of the Board is hereby authorized to attest and affix the seal of the City on the Equipment Lease Supplement, in substantially the forms presented to the Board, with such modifications, changes, or additions as the Chief Administrative Officer may make or approve in accordance with Section 2.

Section 2. The Chief Administrative Officer is hereby authorized to approve and make such modifications, changes or additions to the Equipment Lease Supplement and the Certificate of Approval, upon consultation with the City Attorney of the City, as may be necessary or desirable in the interests of the City, and which changes do not materially increase the obligations of the City under the Equipment Lease, as supplemented by the Equipment Lease Supplement, such approval to be conclusively evidenced by the execution and delivery by the Chief Administrative Officer and the Clerk of the Board of the Equipment Lease Supplement and by the Chief Administrative Officer of the Certificate of Approval; provided, however, that the total project costs of the project (the "Project") to be financed with the proceeds of the Bonds (as defined hereinafter) shall not exceed $10,000,000; and provided, further, that the maximum annual

rental payable under the Equipment Lease Supplement with respect to the Project shall not exceed $1,550,000.

Section 3. The issuance by the Corporation of not to exceed $10,000,000 aggregate principal amount of City and County of San Francisco Finance Corporation Lease Revenue Bonds, Series 1992A (the "Bonds") to be secured by the payment of base rental by the City pursuant to the Equipment Lease, as supplemented by the Equipment Lease Supplement is hereby approved; provided, however, that the Bonds shall not be issued unless prior to the sale thereof, the Controller of the City certifies that in his opinion the net interest cost to the City will be lower as a result of the issuance of the Bonds than other financings involving a lease or leases. The City hereby declares its intention to reimburse itself from the proceeds of the Bonds for expenditures made with respect to the acquisition, construction and installation of the equipment listed on Exhibit A to the Equipment Lease Supplement as said Exhibit A may be modified or changed in accordance with Section 2.

Section 4. The Mayor, the City Attorney, the Controller, the Chief Administrative Officer, the Clerk of the Board and the other officers of the City and their duly authorized deputies and agents are hereby authorized and directed, jointly and severally, to execute and deliver such certificates, requests or other documents as they may deem necessary or desirable to facilitate the execution and delivery by the City of the Equipment Lease

Supplement and of the Certificate of Approval and the consummation of the financing contemplated thereby, and to otherwise carry out the provisions of this ordinance.

Section 5. All actions authorized and directed by this ordinance and heretofore taken are hereby ratified, approved and confirmed by this Board of Supervisors.

APPROVED AS TO FORM:

LOUISE H. RENNE
CITY ATTORNEY

By: Robert A. Kneeley
Assistant Chief Deputy City Attorney

Passed for Second Reading

Board of Supervisors, San Francisco

February 24, 1992

Ayes: Supervisors Achtenberg, Alioto, ~~Britt~~, ~~Gonzalez~~, Hallinan, Hsieh, ~~Kennedy~~, Maher, ~~Migden~~, Shelley, Ward.

~~Noes: Supervisors~~

Absent Supervisors: BRITT GONZALEZ KENNEDY MIGDEN

John L. Taylor Clerk

170-92-2
File No.

MAR 0 3 1992
Approved

Read Second Time and Finally Passed

Board of Supervisors, San Francisco

March 2, 1992

Ayes: Supervisors Achtenberg, ~~Alioto~~, ~~Britt~~, Gonzalez, Hallinan, Hsieh, Kennedy, ~~Maher~~, ~~Migden~~, Shelley, ~~Ward~~.

~~Noes: Supervisors~~

Absent Supervisors: ALIOTO BRITT MAHER MIGDEN WARD

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

John L. Taylor Clerk

Frank M. Jordan
Mayor

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Amendment of the Whole
2/24/92

FILE NO. 164-91-5.1 ORDINANCE NO. 72-92

[Street Vacation - Sale]

ORDERING VACATION OF A PORTION OF PRIEST STREET LOCATED BETWEEN CLAY AND WASHINGTON STREETS, AUTHORIZING SALE THEREOF TO THE OWNER OF THE ABUTTING PROPERTY FOR $120,000, AND ADOPTING FINDINGS PURSUANT TO CITY PLANNING CODE SECTION 101.1.

Be It Ordained by the People of the City and County of San Francisco:

Section 1. On January 6, 1992, the Board of Supervisors adopted Resolution No. 33-92, approved by the Mayor on January 16, 1992, being a Resolution of Intention to Vacate a portion of Priest Street located between Clay and Washington Streets, as shown on Department of Public Works Drawing No. SUR-691, a copy of which is on file in the office of the Clerk of the Board of Supervisors.

Section 2. The Clerk of the Board of Supervisors did publish a notice of the hearing on the Resolution of Intention as required by law and did transmit to the Department of Public Works a certified copy of said Resolution, and the Director of Public Works did cause to be posted Notices of Vacation as required by law.

Section 3. When said matter was considered as scheduled by the Board of Supervisors at its regular meeting held in the City Hall, San Francisco, California, on February 24, 1992, beginning at 3:00 p.m., said Board heard all persons interested in said vacation.

Section 4. From all the evidence submitted at the hearing on the Resolution of Intention, the Board of Supervisors finds that the street described in the said Resolution is unnecessary for present or prospective public use and that the public convenience and necessity require that no easements be reserved for public utility facilities, if any, that are in-place in said street and that any rights based upon any such public utility facilities are extinguished.

Section 5. The Department of City Planning reported on August 13, 1991 that the proposed street vacation and conveyance to the owner of the abutting property are consistent with the City's Master Plan and with the Eight Priority Policies of Planning Code Section 101.1.

Section 6. The San Francisco Board of Supervisors hereby finds that the proposed vacation and conveyance, of said street areas are in conformity with the Master Plan and consistent with the Eight Priority Policies of Planning Code Section 101.1 as set forth in letter dated August 13, 1991 from Director, City Planning to City Engineer, a copy of which report is on file with the Clerk of the Board of Supervisors.

Section 7. The Board of Supervisors has acquired jurisdiction to order said vacation, subject to the conditions as set forth in the Resolution of Intention to vacate, and to authorize sale of the vacated portion of the street to the owner of the property abutting thereon.

Section 8. 1340 Clay Street Limited, the owner of the abutting property has agreed to pay the sum of $120,000 for purchase of the portion of the vacated street that lies in front of said property. The Director of Property has determined that the fair market value of said portion of the vacated street is $120,000.

Section 9. The said portion of Priest Street is hereby ordered vacated and will be conveyed to 1340 Clay Street Limited.

Section 10. The Mayor and the Clerk of the Board of Supervisors, on behalf of the City and County of San Francisco, are hereby authorized and directed to execute a Quitclaim Deed to 1340 Clay Street Limited and the Director of Property is authorized to deliver a deed conveying said property.

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Section 11. The Clerk of the Board of Supervisors is hereby directed to transmit to the County Recorder and the Director of Public Works a certified copy of this Ordinance, and the Recorder and the Director of Public Works are hereby directed to proceed thereafter as required by law.

RECOMMENDED:

Director of Public Works

Director of Property

Chief Administrative Officer

APPROVED AS TO FORM;
LOUISE H. RENNE, City Attorney

By _____
Deputy City Attorney

Description Approved:

City Engineer

JP:kb/137
11/8/91

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
February 24, 1992	March 2, 1992
Ayes: Supervisors Achtenberg Alioto Hallinan Hsieh Kennedy Maher Shelley Ward	Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Kennedy Shelley
Absent: Supervisors Britt Gonzalez Migden	Absent: Supervisors Alioto Britt Maher Migden Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
164-91-5.1

MAR 10 1992
Date Approved

Mayor

FILE NO. 65-92-4 ORDINANCE NO. 78-92

[Lease of AIDS Research Center]

AUTHORIZING AND APPROVING LEASE OF THE FIFTH AND SIXTH FLOORS OF BUILDING 3 AT SAN FRANCISCO GENERAL HOSPITAL TO THE REGENTS OF THE UNIVERSITY OF CALIFORNIA.

Be It Ordained by the People of the City and County of San Francisco:

Section 1. The Board of Supervisors hereby finds that the University of California, through its School of Medicine, and the San Francisco General Hospital have cooperated closely for many years in providing professional staffing for the hospital and in the active conduct of medical research; that the cooperative efforts should be expanded to the installation of laboratories and offices to conduct medical research of virology and immunology as it relates to discerning the molecular biology and biochemistry of HIV I and thereby expanding AIDS basic research activities; and that the Regents of the University of California are prepared to establish the laboratories to provide the specified research facilities and provide staffing, equipment, and materials for such use at no cost to the City and County of San Francisco; now, therefore,

Section 2. The Board of Supervisors hereby finds that the leasing of 21,775 square feet of fully improved space and 5,728 square feet of unimproved space on the fifth and sixth floors of Building 3 at San Francisco General Hospital with the Regents of the University of California for the operation of virology and immunology medical research laboratories and offices is for a public purpose and will promote the general welfare of the community.

Section 3. The Director of Property, the Director of Public Health, and the Executive Administrator of the San Francisco General Hospital are authorized and directed to arrange a lease of said facilities with the University with said lease being for the term from the date of the lease's execution until June 30, 2010 at a rental of $0.85 per square foot per month for the 21,775 square feet presently developed space or a monthly rental at $18,508.75. The same rental rate of $0.85 per square foot will apply for the 5,728 square feet of unimproved space as soon as it is developed or at the end of five years, whichever occurs first.

Section 4. This Lease Agreement is made with the intent that the University will assign the Lease Agreement to The J. David Gladstone Institutes who will operate and maintain these laboratories at San Francisco General Hospital.

Section 5. In addition to the rental referenced above, the University shall pay its estimated prorata share of the costs for utilities and services for the developed space and one-half of that cost for the undeveloped space. On a cost per square foot basis after occupancy, the Hospital estimates that utilities and services will be about $0.59 per square foot per month on a 24-hour, 7-day-a-week basis. The initial cost of utilities and services will be $15,281.65 per month.

Section 6. The Mayor and the Clerk of the Board of Supervisors, on behalf of the City and County of San Francisco, be and they are hereby authorized and directed to execute said lease.

RECOMMENDED:

Richard Gordon
Executive Administrator
San Francisco General Hospital

Raymond Baxter
Director of Public Health

Director of Property

Andy Ouyi Moi
S.F. Health Commission

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By Leslie Brueckner
Deputy City Attorney

RRH 16/198
12/30/91

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
February 24, 1992	§	March 2, 1992
	§	
	§	
Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward	§	Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Kennedy Shelley
	§	
Absent: Supervisors Alioto Britt Maher	§	Absent: Supervisors Alioto Britt Maher Migden Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
65-92-4

MAR 1 0 1992
Date Approved

Frank M. Jordan
Mayor

[Contracting Requirements - Guaranteed Maximum Costs]

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING SECTION 21.10-1 THERETO REQUIRING THAT ALL CONTRACTS OF THE CITY AND COUNTY FOR SERVICES, MATERIALS, EQUIPMENT OR SUPPLIES SHALL CONTAIN PROVISIONS GUARANTEEING MAXIMUM COSTS UNDER THE CONTRACT, AND DECLARING THAT NEITHER THE CITY AND COUNTY NOR ITS EMPLOYEES AND OFFICERS ARE AUTHORIZED TO EXCEED THE COSTS OR SCOPE OF SERVICES OF A CONTRACT WITHOUT A LAWFUL AMENDMENT TO THE AGREEMENT.

Note: This entire section is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by adding Section 21.10-1 to read as follows:

SEC. 21.10-1. CONTRACTING REQUIREMENT -- GUARANTEED MAXIMUM COSTS. All contracts entered into on behalf of the City and County of San Francisco for services, materials, equipment or supplies to be provided to the City and County shall contain a paragraph stating all of the following:

a. The City's obligation hereunder shall not at any time exceed the amount certified by the Controller for the purpose and period stated in such certification.

/ / /

b. Except as may be provided by City ordinances governing emergency conditions, the City and County and its employees and officers are not authorized to request the contractor to perform services or to provide materials, equipment and supplies that would result in the contractor performing services or providing materials, equipment and supplies that are beyond the scope of the services, materials, equipment and supplies agreed upon in the contract unless the agreement is amended in writing and approved as required by law to authorize the additional services, materials, equipment or supplies. The City and County is not required to reimburse the contractor for services, materials, equipment or supplies that are provided by the contractor which are beyond the scope of the services, materials, equipment and supplies agreed upon in the contract and which were not approved by a written amendment to the agreement having been lawfully executed by the City and County.

c. The City and County and its employees and officers are not authorized to offer or promise to the contractor additional funding for the contract which would exceed the maximum amount of funding provided for in the contract for the contractor's performance under the contract. Additional funding for the contract in excess of the maximum provided in the contract shall require lawful approval and certification by the Controller of the City and County of San Francisco. The City and County is not required to honor any offered or promised additional funding for a contract which exceeds the maximum provided in the contract which requires lawful approval and

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certification of the Controller when the lawful approval and certification by the Controller has not been obtained.

d. The Controller is not authorized to make payments on any contract for which funds have not been certified as available in the budget or by supplemental appropriation.

Section 2. This ordinance shall become effective for contracts executed by the City and County on and after July 1, 1992.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Theodore R. Lakey
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
February 24, 1992	March 2, 1992
Ayes: Supervisors Achtenberg Alioto Hallinan Hsieh Maher Shelley Ward	Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Kennedy Shelley
Absent: Supervisors Britt Gonzalez Kennedy Migden	Absent: Supervisors Alioto Britt Maher Migden Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
97-92-8

MAR 10 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 97-92-9 ORDINANCE NO. 75-92

CC

[Revolving Fund]

AMENDING SECTION 10.136-1 OF THE SAN FRANCISCO ADMINISTRATIVE CODE TO DECREASE THE REVOLVING FUND OF THE BUREAU OF CLAIMS OF THE OFFICE OF THE CITY ATTORNEY FROM $175,000 to $100,000.

Note: Additions or substitutions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Section 10.136-1 of the San Francisco Administrative Code is hereby amended to read as follows:

SEC. 10.136-1. CASH REVOLVING FUND - BUREAU OF CLAIMS OF THE OFFICE OF THE CITY ATTORNEY; (($175,000)) $100,000.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Theodore R. Lakey
Deputy City Attorney

2095g 02/03/92

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
February 24, 1992	March 2, 1992
Ayes: Supervisors Achtenberg Alioto Hallinan Hsieh Maher Shelley Ward	Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Kennedy Shelley
Absent: Supervisors Britt Gonzalez Kennedy Migden	Absent: Supervisors Alioto Britt Maher Migden Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 97-92-9

MAR 10 1992
Date Approved

Frank M. Jordan
Mayor

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FILE NO. 97-91-58

Amendment of the Whole
as presented in Committee
February 25, 1992.
As amended in Board 3/2/92

ORDINANCE NO. 76-92

(Minority, Women and Local Business Enterprises - Subcontracts)
AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING CHAPTER 12D SECTIONS 12D.5, 12D.8, 12D.9 and 12D.19 THEREOF RELATING TO A RACE AND GENDER CONSCIOUS CONSTRUCTION SUBCONTRACTING AFFIRMATIVE ACTION PROGRAM.

Note: Additions are underlined. Deletions have double parentheses.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by amending Chapter 12D Sections 12D.5, 12D.8, 12D.9 and 12D.19 thereof, to read as follows:

Sec. 12D.5. Definitions.

"Award of a Contract" occurs when a contract is certified by the Controller of the City and County of San Francisco.

"Annual Participation Goals" shall mean the targeted levels of City wide MBE/WBE participation in City prime contracts that reflect the relevant share of MBEs or WBEs in a given industry or profession referred to as "percent availability" in the utilization indices contained in Appendix X to this Ordinance.

"Back contracting" shall mean any agreement or other arrangement between a prime contractor and its subcontractor where the prime contractor performs or secures the performance of the subcontract in such a fashion and/or under such terms and conditions that the prime contractor enjoys the financial benefits of the subcontract. Said agreement or other arrangement includes, but is not limited to, situations where either a

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contractor or subcontractor agrees that any term, condition or obligation imposed upon the subcontractor by the subcontract shall be performed by or be the responsibility of the prime contractor.

"Bid" shall mean and include a quotation, proposal, solicitation or offer by a bidder or contractor to perform or provide labor, materials, equipment, supplies or services to the City and County of San Francisco for a price.

"Bidder" shall mean any business that submits a quotation, bid or proposal to provide labor, materials, equipment, supplies or services to the City and County of San Francisco.

"City" shall mean the City and County of San Francisco.

"Commercially useful function" for purposes of determining whether a business is a minority business enterprise, women business enterprise or local business enterprise shall mean that the business is directly responsible for providing the materials, equipment, supplies or services to the City as required by the solicitation or request for quotes, bids or proposals. MBEs, WBEs or LBEs who engage in the business of providing brokerage, referral or temporary employment services shall not be deemed to perform a "commercially useful function" unless the brokerage, referral or temporary employment services are those required and sought by the department.

"Commission" shall mean the Human Rights Commission of the City and County of San Francisco.

"Concession" shall include any grant of land or other property by or on behalf of the City and County of San Francisco to a person for the purpose or use specified in said grant. A "concession" shall not include an agreement to perform construction-related services.

"Contract" shall mean and include any agreement between the City and a person to provide or procure labor, materials, equipment, supplies or services to, for or on behalf of the City and County of San Francisco. A "contract" shall include an agreement between the City and a person or non-profit entity to perform construction related services or fund the performance of such services. Except as otherwise specifically defined in this section, a "contract" does not include: (1) awards made by the City with Federal/State grant or City general fund monies to a non-profit entity where the City offers assistance, guidance, or supervision on a project or program and the recipient of the grant award uses the grant monies to provide services to the community; (2) sales transactions where the City sells its personal or real property; (3) a loan transaction where the City is acting as a debtor or a creditor; (4) lease, franchise, or concession agreements; (5) agreements to use City real property; or (6) gifts of materials, equipment, supplies or services to the City.

"Contract Awarding Authority" shall mean the City officer, department, commission, employee or board authorized to enter

into contracts on behalf of the City. In the case of an agreement with a person or non-profit entity to perform or fund the performance of construction related services, the term "contract awarding authority" shall mean the person or non-profit entity receiving funds from the City to perform or fund the performance of such services.

"Contractor" shall mean any person(s), firm, partnership, corporation, or combination thereof, who submits a bid, performs any part of, agrees with a person to provide services relating to and/or enters into a contract with department heads and officers or contract awarding authorities empowered by law to enter into contracts on the part of the City for public works or improvements to be performed, or for goods and services or supplies to be purchased at the expense of the City or to be paid out of monies deposited in the treasury or out of trust monies under the control of or collected by the City.

"Controlled" for the purposes of determining whether a business is a Minority Business Enterprise, or Women Business Enterprise, shall mean the minority(ies), the woman or combination of minorities and women, as the context requires, shall (1) possess legal authority and power to manage business assets, good will and daily operations of the business; and (2) actively and continuously exercise such authority and power in determining the policies and directing the operations of the business.

"Director" shall mean the Director of the Human Rights Commission of San Francisco.

"Economically Disadvantaged Business" shall mean a business whose average gross annual receipts in the three fiscal years immediately preceding its application for certification as a MBE, WBE or LBE does not exceed the following limits: (1) Public Works/Construction-- $14 million; (2) Goods/Materials/Equipment and General Services Suppliers -- $2 million; (3) Professional Services-- $2 million.

"Equipment and Supplies Contract" shall mean term purchase agreements, contract orders, purchase orders and any other agreement for the purchase of transportation equipment, office supplies, data processing and office equipment, hospital and medical equipment and supplies, food, building supplies, fire/safety equipment and supplies, clothing, miscellaneous and electrical equipment and supplies. The term "equipment and supplies contract" shall not include contracts for fuels, lubricants and illuminants.

"Franchise" shall mean and include the right or privilege conferred by grant from the City and County of San Francisco, or any contracting agency thereof, and vested in and authorizing a person to conduct such business or engage in such activity as is specified in the grant. A "franchise" shall not include an agreement to perform construction-related services.

"General Services Contract" shall mean term purchase

agreements, contract orders, purchase orders and any other agreement for the procurement of janitorial, security, equipment and computer maintenance, miscellaneous, printing and graphics services.

"Good Faith Efforts" <u>when required of a contract awarding authority or department</u> shall mean the actions undertaken by a department to obtain MBE or WBE participation in a contract as prime contractors, and shall include the following efforts: (1) encouraging MBE/WBEs to attend pre-bid meetings, scheduled by a department or the Commission, to inform potential contractors of contracting opportunities; (2) advertising in general circulation media, trade association publications and minority/woman business focus media; (3) notifying MBE/WBEs who are available to perform the work contemplated in a contract, soliciting their interest in the contract; (4) dividing the contract work into economically feasible units to facilitate MBE/WBE participation in the contract; (5) pursuing solicitations of interest by contacting MBE/WBEs to determine whether these businesses are interested in participating on the contract; (6) providing MBE/WBEs with adequate information about the plan, specifications and requirements of the contract; (7) where applicable, negotiating with MBE/WBEs in good faith and demonstrating that MBE/WBEs were not rejected as unqualified without sound reasons based on a thorough investigation of their capabilities; and (8) using the services of available community and contractors' groups, local,

State or Federal minority and woman business assistance offices that provide assistance in the recruitment of MBE/WBEs for public sector contracts.

"Good Faith Efforts" when required of a prime public works/construction contractor or construction-related professional services provider shall mean the steps undertaken to comply with the goals and requirements imposed by the City for participation by minority and women business enterprises as subcontractors, and shall include the following:

(1) Attending any presolicitation or prebid meetings scheduled by the City to inform all bidders of the minority and women business enterprise program requirements for the project for which the contract will be awarded.

(2) Identifying and selecting specific items of the project for which the contract will be awarded to be performed by minority or women business enterprises to provide an opportunity for participation by those enterprises.

(3) Advertising, not less than 10 calendar days before the date the bids are opened, in one or more daily or weekly newspapers, trade association publications, minority or trade oriented publications, trade journals, or other media, specified by the City for minority or women business enterprises that are interested in participating in the project. This paragraph applies only if the City gave public notice of the project not less than 15 calendar days prior to the date the bids are opened.

(4) Providing written notice of his or her interest in bidding on the contract to the number of minority or women business enterprises required to be notified by the project specifications not less than 10 calendar days prior to the opening of bids. The City shall make available to the bidder not less than 15 calendar days prior to the date the bids are opened a list or a source of lists of enterprises which are certified by the Director as minority or women business enterprises.

(5) Following up initial solicitations of interest by contacting the enterprises to determine with certainty whether the enterprises were interested in performing specific items of the project.

(6) Providing interested minority and women business enterprises with information about the plans, specifications, and requirements for the selected subcontracting or material supply work.

(7) Requesting assistance from minority and women community organizations; minority and women contractor groups; local, state, or federal minority and women business assistance offices; or other organizations that provide assistance in the recruitment and placement of minority or women business enterprises, if any are available.

(8) Negotiating in good faith with the minority or women business enterprises, and not unjustifiably rejecting as unsatisfactory bids prepared by any minority or women business

enterprises, as determined by the City.

(9) Where applicable, advising and making efforts to assist interested minority and women business enterprises in obtaining bonds, lines of credit, or insurance required by the City or contractor.

(10) Making efforts to obtain minority and women business enterprise participation that the City could reasonably expect would produce a level of participation sufficient to meet the City's goals and requirements.

"Human Rights Commission" (HRC) shall mean the Human Rights Commission of San Francisco, consisting of Commissioners appointed by the Mayor; hereinafter, it shall be referred to as the Commission.

"Joint venture" shall mean and may be referred to as an "Association" of two or more businesses acting as a contractor and performing or providing services on a contract, in which each joint venture or association partner combines property, capital, efforts, skill, and/or knowledge.

"Lease" shall mean and include an agreement by which the City and County of San Francisco or any contracting agency thereof, grants to a person the temporary possession and use of property for reward, and the latter agrees to return the same to the former at a future time. A "lease" shall not include an agreement to perform construction-related services.

"Local Business" or "Local Business Enterprise (LBE)" shall mean an economically disadvantaged business which is an independent and continuing business for profit, performs a commercially useful function and is a firm: (1) with fixed offices or distribution points located within the geographical boundaries of the City and County of San Francisco; (2) listed in the Permits and License Tax Paid File with a San Francisco business street address; and (3) which possesses a current Business Tax Registration Certificate at the time of the application for certification as a local business. Post Office box numbers or residential addresses shall not suffice to establish status as a "Local Business". To qualify as a "Local Business" or "LBE" a business must establish that it has been located and doing business in San Francisco for at least six months preceding its application for certification as a local business.

"Lower tier subcontracting" shall mean any agreement or other arrangement between a subcontractor and a person as defined herein where it is agreed that said person shall perform any term, condition or obligation imposed by the subcontract upon the subcontractor.

"Minority", "Minorities", or "Minority person" shall mean members of one of the following ethnic groups: Asians (defined as Chinese, Japanese, Koreans, Pacific Islanders, Samoans, Filipinos, Asian Indians and Southeast Asians), Blacks, and

Latinos (defined as Mexicans, Puerto Ricans, Cubans, Central or South Americans).

"Minority Business Enterprise (MBE)" shall mean an economically disadvantaged local business which is an independent and continuing business for profit, performs a commercially useful function, and is owned and controlled by one or more minority persons residing in the United States or its territories.

"Miscellaneous Professional Services" shall mean all professional services except legal, architect/engineer, computer systems, management consulting and medical services.

"Office" or "Offices" shall mean a fixed and established place where work is carried on of a clerical, administrative, professional or production nature directly pertinent to the business being certified. A temporary location or movable property or one that was established to oversee a project such as a construction project office does not qualify as an "Office" under the Ordinance.

"Owned", for purposes of determining whether a business is a minority business enterprise or woman business enterprise, shall mean that the minorities or women as the context requires, shall possess an ownership interest of at least fifty-one percent (51%) of the business, and shall:

1. Possess incidents of ownership, such as an interest in profit and loss, equal to at least the required ownership interest percentage; and

2. Contribute capital, equipment and expertise to the business equal to at least the required ownership percentage.

Ownership of an individual seeking MBE or WBE certification shall be measured as though the applicant's ownership is not subject to the community property interest of a spouse, if both spouses certify that (a) only the woman or minority spouse participates in the management of the business and (b) the non-participating spouse relinquishes control over his/her community property interest in the subject business; or both spouses have bona fide management and control of the business.

"Participation commitment" shall mean the targeted level of MBE/WBE subcontractor participation that each prime public works/construction contractor has designated in its bid.

"Participation Goals" shall mean the targeted levels of City wide MBE/WBE participation in City prime contracts that reflect the relevant share of MBEs or WBEs in a given industry or profession referred to as "percent availability" in the utilization indices contained in Appendix X to this Ordinance.

"Percent Availability" see "Participation Goals".

"Person" includes one or more individuals, partnerships, associations, organizations, trade or professional associations, corporations, cooperatives, legal representatives, trustees, trustees in bankruptcy, receivers, or any group of persons, including any official, agent or employee of the City and County of San Francisco.

"Professional Services Contract" shall mean agreements for the procurement of legal, architect/engineer, computer systems, management consulting, medical services and miscellaneous professional services.

"Public Works/Construction Contract" shall mean agreements for the construction, reconstruction or repair of public buildings, streets, utilities or other public works or improvements.

"Set Aside" when referring to a contract or project shall mean a procurement or contract award process where competition for a contract or project is limited to MBEs, WBEs and/or joint ventures with MBE/WBEs.

"Subcontractor" shall mean any business providing goods or services to a contractor for profit, if such goods or services are procured or used in fulfillment of the contractor's obligations arising from a contract with the City and County of San Francisco.

"Subcontractor Participation Goals" shall mean the targeted level of MBE/WBE subcontractor participation designated by the Director for prime public works/construction contracts.

"Woman Business Enterprise (WBE)" shall mean an economically disadvantaged local business which is an independent and continuing business for profit, performs a commercially useful function and is owned and controlled by one or more women residing in the United States or its territories.

"Woman/Minority Man Business Enterprise (W/MBE)" shall mean an economically disadvantaged local business which meets the definition of an MBE or WBE, except that the aggregate ownership interest of the woman and the minority man equals or exceeds fifty-one percent (51%) of the business. An W/MBE shall qualify and be deemed by a department an MBE or WBE, but not both, for purposes of this Ordinance. Any reference in this Ordinance to MBE or WBE includes a W/MBE.

Sec. 12D.8. Powers and Duties of the Mayor, Departments or Contract Awarding Authorities.

(A) In addition to the duties given to the Mayor elsewhere, the Mayor shall:

1. by July 1 of each fiscal year subject to this Ordinance, issue notices to all City departments informing them of their duties under this Ordinance. The notice shall contain the following information: (1) the City wide MBE/WBE participation goals that departments are expected to use good faith efforts to attain during the fiscal year and that a department's failure to use good faith efforts to attain the MBE/WBE participation goals shall be reported to the Board of Supervisors and Chief Administrative Officer in the Commission's annual report; and (2) the data each department is required to provide the Controller on each contract award;

2. pursuant to Charter Section 3.100, coordinate and enforce cooperation and compliance by all departments with this Ordinance.

3. establish a three member Contract Review Committee who shall have the authority to review contracts proposed by the Director or a department to be set aside, where competition for these contracts is limited to MBEs, WBEs and/or joint ventures with MBE/WBEs. The three member Contract Review Committee shall be composed of the HRC Director, an individual appointed by the Chief Administrative Officer and an individual appointed by the Mayor. The Chief Administrative Officer and the Mayor shall appoint individuals who are knowledgeable about contracting practices of the City and of the industry or profession affected by the set aside of the contract.

4. establish a three member Subcontracting Goals Committee which shall have the authority to review decisions by the Director denying a contractor's request, pursuant to 12D.9.(D)-(4), to waive or reduce subcontractor participation goals. The three member Subcontracting Goals Committee shall be composed of an individual appointed by the Commission, an individual appointed by the Chief Administrative Officer and an individual appointed by the Mayor. The Commission, Chief Administrative Officer and the Mayor shall appoint individuals who are knowledgeable about the City's contracting and subcontracting practices and the public works/construction industry. The

Commission, Chief Administrative Office, or the Mayor may not appoint to the Subcontracting Goals Committee the Director or any employee of the Human Rights Commission.

(B) Contract awarding authorities or in the case of a professional services contract, the department making the contract award recommendation, shall:

1. use good faith efforts to solicit and obtain quotes, bids or proposals from MBEs and WBEs on all solicitations, or document their unavailability;

2. unless otherwise indicated in this Ordinance and except where prohibited by State or Federal law or regulation, extend a preference in all bids and contracts and in the composition of rating scales as follows: (1) a five percent (5%) preference to (i) a local business or (ii) a joint venture with local MBE or local WBE participation which equals or exceeds thirty-five percent (35%) but is under forty percent (40%); or (iii) where a joint venture is composed of only local businesses with no local MBE or WBE participation or where the local MBE or local WBE participation is less than thirty-five percent (35%); (2) a seven and one-half percent (7.5%) preference to: (i) a joint venture with local MBE or WBE participation which equals or exceeds forty percent (40%) but is less than fifty-one percent (51%); (3) a ten percent (10%) preference to (i) a local MBE or local WBE or (ii) a joint venture with local MBE or local WBE participation which equals or exceeds fifty-one percent (51%).

A joint venture shall receive the aforementioned appropriate bid preference when the MBE or WBE is an active partner in the joint venture and performs work, manages the job and takea financial risks in proportion to the required level of participation atated in the bid documenta and is responsible for a clearly defined portion of the work to be performed, and shares in the ownership, control, management responsibilities, risks, and profits of the joint venture. The portion of the MBE or WBE joint venturer'a work shall be set forth in detail separately from the work to be performed by the nonMBE or nonWBE joint venture partner. The MBE or WBE joint venturer's portion of the contract must be assigned a commercially reasonable dollar value;

3. arrange oontrscting by size and type of work to be performed so as most effectively to enhance the opportunity for participation by MBEs and WBEs to the maximum extent feasible. As soon as practicsl before aoliciting quotea, bids or proposals, all contract awarding authorities or in the case of a professional services contract, the department making the contract awsrd recommendation, ahall submit all large proposals to the Director for review. The purpose of the Director's review is to determine whether the proposed project can be divided into smaller projects so ss to enhance the opportunity for participation by MBEs and WBEs in the project. For purposes of this subsection, the term "large project" shall mean the following: (1) any publio works/construction project estimated to

cost more than five million dollara ($5,000,000); (2) any professional services contract estimated to cost more than fifty thousand dollars ($50,000). If the Directo: determinea, after consulting with the contract awarding authority or department responsible for the project, that the project can be divided into smaller projects, the contract awarding authority or department shall comply with the Director's determination and iasue the solicitation for quotes, bida or propoaals in accordance with the Director's determination;

4. adjust bid bonding and inaurance requirements as recommended by the City Risk Manager in his May 2, 1989 "Contract Insurance Manual";

5. utilize a revolving fund as may be established by the City to assiat MBEs and WBEs to meet bonding, inaurance and other fee-related requirements;

6. submit to a central office all ourrent bida, requests for proposals, and aolicitations with sufficient lead time to provide adequate notice and opportunity to MBEs and WBEs to participate;

7. impose auch sanctions or take such other actions as are designed to enaure compliance with the provisions of this Ordinance, which shall include, but sre not limited to:

(a) refusal to grant the sward of a contract;

(b) order the suapension of a contrsct;

(c) order the withholding of funds;

(d) order the revision of a contract based upon a material breach of contract provisions pertaining to MBE or WBE participation;

(e) disqualification of a bidder, contractor, subcontractor, or other business from eligibility for providing goods or services to the City for a period not to exceed five years, with a right to review and reconsideration by the Commission after two years upon a showing of corrective action indicating violations are not likely to recur; ((and))

8. not award any contract to a person or business which is disqualified from doing business with the City under the provisions of this Ordinance, nor shall any contract be awarded to any person or business which is disqualified from doing business with any governmental agency based on failure to comply with Minority or Women Business Enterprise or contract compliance requirements which are substantially the same as those of this Ordinance;

9. designate a staff person to be responsible for responding to the Director and Commission and to the requirements of this Ordinance;

10. maintain accurate records for each contract awarded, its dollar value, the nature of the goods or services to be provided, the name of the contractor awarded the contract, the

efforts made by a construction, architect/engineer contractor to solicit bids from and award subcontracts to MBEs and WBEs;

11. where feasible, provide technical assistance to MBEs and WBEs to increase their ability to compete effectively for the award of City contracts.

(C) Subject to the prior approval of the Director, contract awarding authorities or departments may invite, encourage or request businesses to joint venture on any contract to promote MBE or WBE participation.

(D) For the purpose of determining Minority and Women Business Enterprise participation:

Contracts awarded to joint ventures in which one or more MBEs or WBEs are combined with one or more businesses which are not Minority or Women Business Enterprises shall be deemed to be awarded to Minority or Women Business Enterprises only to the extent of the Minority or Women Business Enterprises participation in the joint venture.

(E) All contracts subject to this Ordinance shall include the following requirements, in addition to such other requirements as may be set forth elsewhere:

1. bidders and contractors on all contracts shall be required to sign before a notary an affidavit prepared by the City Attorney, declaring their intention fully to comply with the provisions of the Ordinance;

2. contracts shall incorporate this Ordinance by reference and shall provide that the willful failure of any bidder or contractor to comply with any of its requirements shall be deemed a material breach of contract;

3. contracts shall provide that in the event that the Director finds that any bidder, subcontractor or contractor willfully fails to comply with any of the provisions of this Ordinance, rules and regulations implementing the Ordinance or contract provisions pertaining to MBE or WBE participation the bidder, subcontractor or contractor shall be liable for liquidated damages for each contract in an amount equal to the bidder's or contractor's net profit on the contract, or ten percent (10%) of the total amount of the contract or one thousand dollars ($1,000) whichever is greatest, said amount to be determined by the Director pursuant to Section 12D.14.(C). All contracts shall also contain a provision in which the bidder, subcontractor or contractor acknowledges and agrees that the liquidated damages assessed shall be payable to the City upon demand and may be set off against any monies due to the bidder, subcontractor or contractor from any contract with the City;

4. contracts shall require bidders, contractors, and subcontractors to maintain records necessary for monitoring their compliance with this Ordinance;

5. contracts shall require that during the term of the contract, the prime contractor shall fulfill the MBE and WBE

participation commitments submitted with their bid;

6. Contracts shall require prime contractors to include a contract provision in any subcontract with an MBE or WBE which provides MBE and WBE subcontractors with a remedy for a prime contractor's non-compliance with his or her commitment to utilize MBE and WBE subcontractors. This contractual provision shall include an agreement by the prime contractor to compensate any MBE or WBE subcontractor if the prime contractor does not fulfill its commitment to utilize the MBE or WBE subcontractor. This contractual provision shall also state that it is enforceable in a court of competent jurisdiction.

7. Whenever contract supplements, amendments or change orders are made which cumulatively increase the total dollar value of a construction contract by more than ten percent (10%), the contractor shall comply with those MBE and WBE provisions of this Ordinance which applied to the original contract with respect to the supplement, amendment, or change order.

8. Contracts in which subcontracting is utilized shall prohibit back contracting to the prime contractor or lower tier subcontracting for any purpose inconsistent with the provisions of this Ordinance, rules and regulations adopted pursuant to this Ordinance, or contract provisions pertaining to MBE and WBE utilization.

(F) All contracts or other agreements between the City and County of San Francisco and persons or entities, public or

private, where such persons or entities receive money from or through the City for the purpose of contracting with businesses to perform public improvements, shall require such persons or entities to comply with the provisions of this Ordinance in awarding and administering such contracts, except where prohibited by State or Federal law or regulation.

(G) Where a department can demonstrate, despite its good faith efforts and application of the bid preference(s), that it has failed substantially to eliminate the exclusion of MBEs or WBEs from City contracting, the department, after consulting with the Director, may request the Contract Review Committee established in Section 12D:8.(A)3. to review and approve the proposed project(s) selected by the department for a set aside.

(H) City department heads and commissioners shall attend a one hour mandatory training session on an annual basis. The training session shall be organized and conducted by the Director and shall inform City department heads and commissioners of the requirements of this Ordinance.

Sec. 12D.9. Additional Findings Supporting Race and Gender-Conscious Bid Preferences and Subcontractor Participation Goals-- Public Works/Construction; Subcontracting Program .

(A) In addition to the General Findings set forth in Section 12D.2., and based upon the record before this Board, the Board hereby makes these additional findings in support of the

race and gender-conscious bid preference provisions and subcontractor participation goals for public works/construction contracts:

1. In Ordinance No. 139-84 this Board identified discriminatory procurement practices against MBEs and WBEs in the award of prime public works/construction contracts.

2. The evidence before this Board relating to the award of prime public works/construction contracts for fiscal year 1987-1988 reflects that MBEs (each ethnic group identified as a minority) and WBEs continue to be awarded contract dollars in amounts that are disproportionately lower than the available number of MBE and WBE prime public works/construction contractors willing and able to perform City construction work. The evidence before this Board relating to the participation of MBE/WBE prime and subcontractors on City construction contracts for fiscal year 1989-1990 reflects that MBEs (each ethnic group identified as a minority) and WBEs continue to be awarded contract dollars in amounts that are disproportionately lower than the available number of MBE and WBE prime and subcontractors willing and able to perform construction work. These results cannot be attributed to chance. In light of the testimony before this Board and the Commission in 1983, 1984, 1988, ((and)) 1989 and 1992, and the Redevelopment Agency in 1991, this Board finds that these results can ((only)) be attributed in part to discriminatory procurement practices and in part to discrimination in the local construction

industry against MBEs and WBEs that is manifested in and perpetuated and exacerbated by the City's procurement practices.

3. The evidence before this Board supports the conclusion that MBEs and WBEs continue to be disadvantaged by discriminatory practices when competing for City prime construction contracts. The weight of the testimony and other evidence before this Board supports the conclusion that nonminority construction contractors competing for or doing business with the City and/or in the public sector limit the participation of MBE and WBE subcontractors on construction contracts by engaging in discriminatory business practices.

4. Race-neutral measures employed by the City in the past for those construction contracts subject to the "lowest, reliable, responsible bidder" standard did not prevent the discriminatory practices from occurring. Since February 1989 the City has pursued race-neutral measures to facilitate MBE/WBE subcontractor participation in construction contracts. From about February 1 to June 30, 1989 the City adopted a race-neutral disadvantaged business program for its construction contracts. Since July 1, 1989 the City has urged prime construction contractors to voluntarily extend subcontracting opportunities to MBE/WBE subcontractors on City construction contracts. These race and gender neutral measures employed by the City have not been successful in increasing MBE/WBE subcontractor participation in City construction contracts.

5. The Board is granting a competitive advantage, the bid preference, to prime MBEs and WBEs to offset the identified competitive disadvantage caused by the City's discriminatory procurement practices.

(B) For all public works/construction contracts, the contract awarding authority shall furnish the Director with an informational copy of all bid conditions and requests for proposals, along with a statement identifying all funds provided by any other governmental agency which will be used in payment of the contract.

(C) Architect and engineer services provided to the City in connection with a public works/construction contract are governed by Section 12D.11.

(D) MBE/WBE Subcontracting Program

For all public works/construction contracts in which the contract awarding authority reasonably anticipates will include subcontractor participation, the contract awarding authority, prior to the solicitation of bids, shall provide the Director with a proposed job scope, and may submit written recommendations to the Director regarding MBE and WBE subcontractor participation goals to be set for the contract. The Director shall set the participation goals pursuant to Section 12D.9. (D)-(1).

(D)-(1) Upon receipt of a proposed job scope and/or a written recommendation from a contracting awarding authority pursuant to Section 12D.9.(D), the Director, shall set the MBE

and WBE participation goals for each construction contract based upon the following factors:

1. the extent of subcontracting opportunities presented by the contract;

2. the availability of MBE/WBE subcontractors capable of providing goods and services on the construction contract.

The Director shall set the MBE and WBE participation goals within ten working days of the date the Director receives from a contract awarding authority a proposed job scope and/or written recommendation. If the Director fails to act within ten days, and if the contract awarding authority submitted to the Director recommended goals pursuant to 12D.9.(D), the recommended goals shall be deemed approved by the Director, provided that the recommended goals are based upon the factors identified in subsections (D)-(1) 1 and 2 above.

(D)-(2) Bid conditions shall require bidders on prime construction contracts to do the following:

1. demonstrate in their bid that they have used good faith efforts to utilize MBE and WBE subcontractors;

2. identify the particular MBEs and WBEs subcontractors to be utilized in performing the contract, specifying for each the dollar value of the participation, the type of work to be performed and such information as may reasonably be required to determine the responsiveness of the bid.

Except as provided in Section 12D.9.(D)-(5), bids not

meeting the requirements of Section 12D.9.(D)-(2) shall be declared non-responsive.

(D)-(3) A contract awarding authority may request that the Director waive or reduce the MBE and WBE subcontractor participation goals on construction contracts by submitting the reasons therefor in writing to the Director prior to the solicitation of bids.

(D)-(4) A bidder or contractor may request that the Director waive or reduce the amount of MBE and WBE subcontractor participation goals on a construction contract by submitting the reasons therefor in writing to the contract awarding authority with its bid.

(D)-(5) The Director may grant the request for waiver or reduction made pursuant to Sections 12D.9.(D)-(3) and (D)-(4) upon a determination that:

1. the reasonable and necessary requirements of the construction contract render subcontracting or the participation of businesses other than bidder unfeasible;

2. qualified MBEs and/or WBEs capable of providing the goods or services required by the contract are unavailable, despite the prime contractor's or the department's good faith efforts to locate MBEs and WBEs to meet the participation goals; or

3. the available MBEs and WBEs have given price quotes which are unreasonably high in that they exceed competitive

levels beyond amounts which can be attributed to cover costs inflated by the present effects of discrimination.

(D)-(6) Whenever the Director denies a contractor's request to waive or reduce the participation goals, the contractor may appeal that denial to the Subcontracting Goals Committee established pursuant to Section 12D.8.(A)4. The Subcontracting Goals Committee's decision on the request shall be final. In reviewing the Director's denial of a contractor's request to waive or reduce participation goals, the Subcontracting Goals Committee shall consider the extent of subcontracting opportunities presented by the contract and the availability of MBE/WBE subcontractors capable of providing goods and services on the construction contract.

The Subcontracting Goals Committee may overrule the Director and grant the request for waiver or reduction only upon finding that:

1. the reasonable and necessary requirements of the construction contract render subcontracting or the participation of businesses other than bidder unfeasible;

2. qualified MBEs and/or WBEs capable of providing the goods or services required by the contract are unavailable, despite the prime contractor's or the department's good faith efforts to locate MBEs and WBEs to meet the participation goals; or

3. the available MBEs and WBEs have given price quotes

which are unreasonably high in that they exceed competitive levels beyond amounts which can be attributed to cover costs inflated by the present effects of discrimination.

(D)-(7) Prior to entering into any prime construction contract, the contract awarding authority shall require bidders on the contracts to contact all MBEs and WBEs before the MBE/WBEs are listed as subcontractors in the bid.

(D)-(8) During the term of the contract, any failure to comply with the level of MBE and WBE subcontractor participation specified in the contract shall be deemed a material breach of contract.

Sec. 12D.19. Effective Date.

3/2/92 This Ordinance shall take effect on May 1, 1992, and shall govern public works/construction contracts of under ten million dollars for which a bid has not been solicited by the effective date, and shall govern public works/construction contracts that equal or exceed ten million dollars which are awarded after the effective date.

ejp

APPROVED AS TO FORM:

LOUISE H. RENNE
CITY ATTORNEY

By [signature]
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 2, 1992	March 9, 1992
Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley	Ayes: Supervisors Achtenberg Alioto Hallinan Hsieh Migden Shelley
Absent: Supervisors Britt Ward	Absent: Supervisors Britt Gonzalez Kennedy Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
97-91-58

MAR 13 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 45-92-4

ORDINANCE NO. 77-92

RO #91153

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF ALIE BETH ZANDSTRA AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $6,107.83.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "ALIE BETH ZANDSTRA v. CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court No. 912-574, by the payment of $6,107.83.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

WILLIS CASEY, Chief
San Francisco Police Department

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

JAN 31 1992

01 001 97 09 38

309781 1450 $6,107.83

APPROVED:

SECRETARY
San Francisco Police Commission

CC

MAR 24 1992
SAN FRANCISCO PUBLIC LIBRARY

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 2, 1992	March 9, 1992
Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Kennedy Shelley	Ayes: Supervisors Achtenberg Alioto Britt Hallinan Hsieh Migden Shelley
Absent: Supervisors Alioto Britt Maher Migden Ward	Absent: Supervisors Gonzalez Maher Kennedy Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

Clerk

File No. 45-92-4

MAR 20 1992
Date Approved

Mayor

FILE NO. 45-92-5

ORDINANCE NO. 78-92

RO #91155

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF ANITA SOLORZANO AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $9,500.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "ANITA SOLORZANO v. CITY AND COUNTY OF SAN FRANCISCO, et al., San Francisco Superior Court No. 921-959", by the payment of $9,500. $4,750 to be paid by the Department of Public Works and the remaining $4,750 to be paid by the Municipal Railway.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

PUBLIC UTILITIES COMMISSION

FREDERIC K. HOWELL
Acting General Claims Agent
Public Utilities Commission

DEPARTMENT OF PUBLIC WORKS

for RICHARD EVANS
Director

RUDOLF NOTHENBERG
Chief Administrative Officer

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
CONTROLLER

01 001 97 09 90 309674 1450 $4,750.00
31 001 35 02 03 632091 1450 $4,750.00

FEB 05 1992

BOARD OF SUPERVISORS

CC

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MAR 2 4 1992
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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 2, 1992	March 9, 1992
Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Kennedy Shelley	Ayes: Supervisors Achtenberg Alioto Britt Hallinan Hsieh Migden Shelley
Absent: Supervisors Alioto Britt Maher Migden Ward	Absent: Supervisors Gonzalez Maher Kennedy Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-92-5

MAR 20 1992
Date Approved

Mayor

FILE NO. 45-91-67.1

ORDINANCE NO. 79-92

RO #91159

[SETTLEMENT OF LAWSUIT]

AUTHORIZATION SETTLEMENT OF LITIGATION OF LILLIAN JOHNSON AGAINST THE CITY AND COUNTY OF SAN FRANCISCO IN AN AMOUNT NOT TO EXCEED $700.00

Be it ordained by the People of the City and County of San Francisco:

Section I. the City Attorney is hereby authorized to settle the action entitled LILLIAN JOHNSON v. CITY AND COUNTY OF SAN FRANCISCO, et al., Superior Court No. 932-967, by the payment of an amount not to exceed $700.00.

APPROVED AS TO FORM AND RECOMMENDED:

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

DEPARTMENT OF SOCIAL SERVICES

JULIA LOPEZ
General Manager

FUNDS AVAILABLE:

CONTROLLER

01 001 45 00 00
647008 0010 $700.00

FEB 07 1992

BOARD OF SUPERVISORS

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 2, 1992	March 9, 1992
Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Kennedy Shelley	Ayes: Supervisors Achtenberg Alioto Britt Hallinan Hsieh Migden Shelley
Absent: Supervisors Alioto Britt Maher Migden Ward	Absent: Supervisors Gonzalez Maher Kennedy Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-91-67.1

MAR 2 0 1992
Date Approved

Mayor

FILE NO. 46-92-1 ORDINANCE NO. 80-92

CC

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF KINGMAN CHAN V. PETER AUSANO, ET AL., UPON RECEIPT OF THE SUM OF $15,000.00 AND DISMISSAL OF COMPLAINT.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized and directed to settle San Francisco Superior Court No. 927358 entitled "Kingman Chan, Plaintiff, v. Peter Ausano, et al., Defendants" by acceptance of the sum of $15,000.00 from the defendants and dismissing complaint.

Section 2. Upon receipt of said sum of $15,000.00 and appropriate paperwork the City Attorney is authorized to dismiss said complaint.

APPROVED
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

By Kimberly A. Reiley
KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

RETIREMENT BOARD
SAN FRANCISCO CITY AND COUNTY
EMPLOYEES' RETIREMENT SYSTEM

By Pamela A. Levesque
PAM LEVESQUE
Executive Assistant to
General Manager

BOARD OF SUPERVISORS

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 2, 1992	March 9, 1992
Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Kennedy Shelley	Ayes: Supervisors Achtenberg Alioto Britt Hallinan Hsieh Migden Shelley
Absent: Supervisors Alioto Britt Maher Migden Ward	Absent: Supervisors Gonzalez Maher Kennedy Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
46-92-1

MAR 2 0 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 65-92-1 ORDINANCE NO. 81-92

(Lease of Psychiatric Research Space)

AUTHORIZING AND APPROVING LEASE OF A PORTION OF THE FIRST FLOOR OF BUILDING 20 AT SAN FRANCISCO GENERAL HOSPITAL TO THE REGENTS OF THE UNIVERSITY OF CALIFORNIA.

Be It Ordained By The People of the City and County of San Francisco:

SECTION 1. The Board of Supervisors hereby finds that the University of California, through its School of Medicine, and the San Francisco General Hospital have cooperated closely for many years in providing professional staffing for the hospital and in the active conduct of medical research; that the cooperative efforts should be expanded to the development of space to conduct psychiatric research and the installation of University administrative offices; and that the Regents of the University of California are prepared to establish the research space and the offices and provide staffing, equipment and materials for such use at no cost to the City and County of San Francisco; now therefore,

SECTION 2. The Board of Supervisors hereby finds that the leasing of approximately 7,019 square feet of space on the first floor of Building 20 at San Francisco General Hospital with the Regents of the University of California for psychiatric research space and University Administrative Offices is for a public purpose and will promote the general welfare of the community.

SECTION 3. The Director of Property, the Director of Public Health and the Executive Administrator of the San Francisco General Hospital are authorized and directed to arrange a lease of said facilities with the University with said lease being for a period of ten(10) years at a prepaid rental and utility charge of $380,000 for the first five(5) years and with the provision that the rent and utility charge will be adjusted annually for each of the remaining five(5) years of the lease and that the improvements made to the structure by the University will become the property of the City upon the termination of the lease and said lease being subject to the terms and conditions of the lease captioned "Lease Agreement" on file with the Clerk of the Board.

SECTIION 4. The Mayor and the Clerk of the Board of Supervisors, on behalf of the City and County of San Francisco, be and they are hereby authorized and directed to execute said lease.

RECOMMENDED:

Director of Property

RECOMMENDED:

Executive Administrator

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By
Deputy City Attorney

Director of Public Health
S.F. Health Commission

By

RRR:m

1511

(Real Estate Dept.)

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CC

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 2, 1992	March 9, 1992
Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Kennedy Shelley	Ayes: Supervisors Achtenberg Alioto Britt Hallinan Hsieh Migden Shelley
Absent: Supervisors Alioto Britt Maher Migden Ward	Absent: Supervisors Gonzalez Maher Kennedy Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
65-92-1

MAR 20 1992
Date Approved

Frank M. Jordan
Mayor

Amendment of the Whole 2/26/92.

FILE NO. 65-92-3

ORDINANCE NO. 82-92

(Lease Amendment Agreement)

Amending the Lease of Portions of the Basement of Building 1 and the First Floor of Building 20 at San Francisco General Hospital.

Be It Ordained By The People of The City and County of San Francisco:

Section 1. Pursuant to Ordinance No. 261-77, the City entered into a lease agreement with the Regents of the University of California for the first, second and third floors in Building 20 and Rooms 22, 23, 24, and one-half of the connecting corridor in the basement of Building 1; and

Section 2. The University and the City desire to amend the provisions of the Lease to release the University's space in the basement of Building 1 and in a portion of the first floor of Building 20; now, therefore,

Section 3. The Board of Supervisors hereby finds that the said lease be amended to limit the occupancy of the University to a portion of the first floor and the entire second floor of Building 20.

Section 4. Reimbursement by the University to the City of the University's pro rata share of the costs for utilities and services as specified in Article IV, Payments, shall be adjusted to reflect the revised area set forth in Section 1 of Amendment Number Two to Dental Clinic Lease Agreement and shall be re-established each year in accordance with utilities and service charges for other leasehold property on the Hospital campus. The reimbursement during fiscal year 1991-92 is projected at a rate of $0.59 per square foot per month or a total cost of $4,547.13 per month.

Section 5. The Director of Property, the Director of Public Health and the Executive Administrator of the San Francisco General Hospital are authorized and directed to arrange Amendment Number Two to Dental Clinic Lease with the University with said amended lease terminating June 30, 1998.

Section 6. The Mayor and the Clerk of the Board of Supervisors, on behalf of the City and County of San Francisco, be and they are hereby authorized and directed to execute said amendment to the lease.

Approved:

Executive Director
San Francisco General Hospital

Director of Public Health

S. F. Health Commission

Director of Property

Approved as to Form:
Louise H. Renne, City Attorney

By
Deputy City Attorney

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(Real Estate)
BOARD OF SUPERVISORS

CC

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 2, 1992	March 9, 1992
Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Kennedy Shelley	Ayes: Supervisors Achtenberg Alioto Britt Hallinan Hsieh Migden Shelley
Absent: Supervisors Alioto Britt Maher Migden Ward	Absent: Supervisors Gonzalez Maher Kennedy Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
65-92-3

MAR 20 1992
Date Approved

Frank M. Jordan
Mayor

Amendment of the whole
3/2/92

FILE NO. 101-91-49 ORDINANCE NO. 83-92

(Annual Appropriation Ordinance)

AMENDING ANNUAL APPROPRIATION ORDINANCE 1991-92 (ORDINANCE 261-91) BY DELETING PORTION OF SECTION 10-1 RELATING TO REPLACEMENT OF EMPLOYEES; ADDING SECTION 10.4 RELATING TO EARLY RETIREE POSITIONS

Be it ordained by the people of the City and County of San Francisco:

(Additions are underlined; deletions are indicated by ((double parenthesis)).

Section 1. The Annual Appropriation Ordinance for fiscal year 1991-92 is hereby amended by amending Section 10 thereto to read as follows:

Section 10. Funds may be transferred from any legally available source on the recommendation of the department head and approval by the chief Administrative Officer, Board or Commission for departments under their respective jurisdiction and on authorization of the Controller with the prior approval of the General Manager, Personnel, for

1 - Lump sum payments to officers, employees, police officers and firefighters other than elective officers and members of boards and commissions upon death or retirement or separation caused by industrial accident for accumulated sick leave benefits in accordance with Civil Service Commission rule 22.02 (b) 9 ((, provided, however, that the position held by an employee who is entitled to such lump sum payment will not be filled with either a permanent or temporary replacement until such lump sum payment has been recovered from appropriations made for personal services, and further provided that in the event departmental requirements are such that said position must be filled immediately it may be so filled on the request of the appointing officer, recommendation of the General Manager, Personnel, Mayor and approval by ordinance or resolution of the Board of Supervisors)).

2 - Payment of the supervisory differential adjustment to employees who qualify for such adjustment under Section IV -f of the salary Standardization Ordinance and have received approval from the General Manager, Personnel pursuant to Section 1.1-b of the Annual Salary Ordinance.

Such amounts transferred shall not exceed the amount of the lump sum payment for accumulated sick leave or the amount of the supervisory differential adjustment including the cost to the City and County of mandatory fringe benefits.

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3 - The Controller is hereby authorized to adjust the appropriations for permanent salaries for positions administratively reclassified by the General Manager, Personnel under the provisions of Section 1.1 - b of the Annual Salary Ordinance provided that the reclassified position and the former position are in the same functional area.

4 - Such amounts as are necessary to provide for "Out of Class Pay" as authorized by the Civil service Commission provided that the transfer of funds must be made from funds currently available in departmental personal service appropriations.

(This entire section is new)

Section 10.4. The Controller is authorized and he is hereby directed to transfer any available salary and fringe benefit amounts budgeted for the period April 1st through June 30, 1992 for employees who elect to retire under the provisions of charter section 8.517-2 to a reserve account in the fund in which the position and salary is budgeted. Funds in said reserve account may be transferred by the Controller and such funds are hereby appropriated to provide for costs of:

A. lump sum vacation

B. vested sick leave

C. amounts legally required to be paid to an officer or employee not otherwise provided.

APPROVED:
LOUISE H. RENNE-CITY ATTORNEY

By: _____

RECOMMENDED:
EDWARD HARRINGTON-CONTROLLER

_____

00015OV1

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
March 2, 1992	$	March 9, 1992
	$	
	$	
Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Kennedy Shelley	$	Ayes: Supervisors Achtenberg Alioto Hallinan Hsieh Migden Shelley
	$	
	$	
Absent: Supervisors Alioto Britt Maher Migden Ward	$	Absent: Supervisors Britt Gonzalez Kennedy Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-91-49

MAR 20 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 101-91-50.1

ORDINANCE NO. 84-92

RO# 91171 SA# 79

APPROPRIATING $364,276 FOR SUBSISTENCE - PERSONS, SHERIFF DEPARTMENT FOR FISCAL YEAR 1991-92; AN EMERGENCY MEASURE.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1991-92 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
01-001	General Fund		
G.L. 315 (000026)	Reserve for Emergency Appropriation	$364,276	
06-00-00	Sheriff		
10-1251 (306589)	Subsistence - Persons		$364,276

Section 2. This ordinance is passed as an emergency measure and the Board of Supervisors does hereby declare by the vote by which this ordinance is passed that an actual emergency exists which necessitates that this ordinance be made effective forthwith. The emergency arises because of the unanticipated size of the increase in the number of prisoners that are currently being housed in the correctional facilities of the City and County of San Francisco. As a result, the funds are immediately required so that the Sheriff may insure the health and safety of the inmates and staff at the jail and so that he may perform the necessary services in connection with the operation of the correctional facilities of the City.

Approved As To Form:
Louise H. Renne, City Attorney

By: Theodore R. Lakey
Deputy City Attorney

Funds Available:

John W Madden
Controller

Emle.34

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MAR 24 1992
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Passed as an Emergency Measure
Board of Supervisors, San Francisco March 16, 1992

Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward

Absent: Supervisor Maher

I hereby certify that the foregoing ordinance was passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-91-50.1

MAR 20 1992
Date Approved

Thomas M. Jordan
Mayor

FILE NO. 62-92-1 ORDINANCE NO. 85-92

CC

(GOLDEN GATE PARK GOLF COURSE LEASE)

APPROVING A FIVE-YEAR LEASE WITH THIGPEN, LTD., INC. FOR ESTABLISHING AND OPERATING A PROFESSIONAL GOLF SHOP AND SNACK BAR CONCESSION AT GOLDEN GATE PARK GOLF COURSE, SAN FRANCISCO, CALIFORNIA.

Be it ordained by the People of the City and County of San Francisco:

Section 1. That certain lease between the Recreation and Park Commission, for and on behalf of the City and County of San Francisco, and Thigpen, Ltd., Inc. for establishing and operating a professional golf shop and snack bar concession at Golden Gate Park Golf Course for five years, a copy of which lease is on file in the office of the Clerk of the Board of Supervisors and to which reference is hereby made, is hereby approved.

RECOMMENDED:

MARY E. BURNS, General Manager
Recreation and Park Department

SHAUNA MARIE ROSE, Secretary
Recreation and Park Commission

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

MARA E. ROSALES, Deputy City Attorney

BOARD OF SUPERVISORS
2058g
01/23/92

PAGE 1 OF 1

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 9, 1992	March 16, 1992
Ayes: Supervisors Achtenberg Alioto Britt Hallinan Hsieh Migden Shelley	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisors Gonzalez Maher Kennedy Ward	Absent: Supervisor Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 62-92-1

MAR 25 1992
Date Approved

Mayor

Amended in Cmte. 2/26/92.

FILE NO. 65-92-2

ORDINANCE NO. 86-92

RO #91158

[Lease of Property]

AUTHORIZING AND APPROVING SUBLEASE OF CITY-OWNED PROPERTY AT 25 VAN NESS AVENUE, PORTION OF LOWER LEVEL (LOT 4, BLOCK 834) TO THE NEW CONSERVATORY CHILDREN'S THEATRE COMPANY AND SCHOOL, A NON-PROFIT CORPORATION, COMMENCING RETROACTIVELY ON NOVEMBER 1, 1991.

2/26/92
BT

Be It Ordained by the People of the City and County of San Francisco:

Section 1. In accordance with the recommendation of the Director of Property; the Mayor and the Clerk of the Board of Supervisors, on behalf of the City and County of San Francisco, a municipal corporation, as Sublessor, are hereby authorized and directed to execute an 18 month and 14 day sublease commencing retroactively on November 1, 1991 with The New Conservatory Children's Theatre Company and School, a non-profit California corporation, for rental space located on a portion of the Lower Level, 25 Van Ness Avenue, for an acting school primarily for ages 4-19 years old and the performance of theatrical productions.

Section 2. The Director of Property is hereby authorized and directed to prepare said sublease subject to the terms and conditions on file with the Clerk of the Board of Supervisors and with approval as to form by the City Attorney.

RECOMMENDED:

Director of Property

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By Deputy City Attorney

PA BM195 1/2/92

Real Estate Dept.

CC

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 9, 1992	March 16, 1992
Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Kennedy Shelley	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisors Alioto Britt Maher Migden Ward	Absent: Supervisor Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
65-92-2

MAR 25 1992
Date Approved

Mayor

Amended in Cmte. 3/4/92.

FILE NO. 101-91-48

ORDINANCE NO. 87-92

RO # 91160 SA # 70

(Government Funding)

3/4/92 BT

APPROPRIATING $29,362 ~~$60,000~~ FOR PERMANENT SALARIES - MISCELLANEOUS AND RELATED MANDATORY FRINGE BENEFITS, FOR THE CREATION OF THREE (3) POSITIONS, AIRPORT COMMISSION FOR FISCAL YEAR 1991-92.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1991-92 as follows:

3/4/92 BT

Department And Number	Source Of Funds And Purpose of Appropriation	Amount Debit	Amount Credit
30-001	Airport Operating Fund		
G.L. 490 (022012)	Unappropriated Revenue	$ 29,362 ~~$ 60,000~~	
27-00-00	Airport		
Project 007-01	Noise Monitoring Program		
01-0010 (573634)	Permanent Salaries		$25,326 ~~$54,878~~
04-0600	Mandatory Fringe Benefit		4,036 ~~8,427~~
	Total	$ 29,362 ~~$ 60,000~~	$29,362 ~~$60,000~~

Section 2. Funds are hereby appropriated for three (3) positions created by amendment to the Annual Salary Ordinance (Board of Supervisors File No. 102-91-16) as follows:

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Fund Department Classification	General Fund Airport RATE	Created
9212 Airfield Safety Officer	$1,407 B $1,706	3

Approved As To Form:
Louise H. Renne, City Attorney

BY: Deputy City Attorney

Funds Available:

Controller

Civil Service Commission

BY: John J. Walsh FK
General Manager, Personnel

Emic.32

CC

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 9, 1992	March 16, 1992
Ayes: Supervisors Achtenberg Alioto Britt Hallinan Hsieh Migden Shelley	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisors Gonzalez Maher Kennedy Ward	Absent: Supervisor Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-91-48

MAR 25 1992
Date Approved

Mayor

FILE NO. 102-91-16
PUBLIC EMPLOYMENT

ORDINANCE NO. 88-92
SAL.ORD.AMEND.NO. 14

AMENDING ORDINANCE NO. 304-91 (ANNUAL SALARY ORDINANCE, 1991-92) REFLECTING THE ADDITION OF THREE POSITIONS IN THE AIRPORTS COMMISSION.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated section and items of Ordinance No. 304-91 (Annual Salary Ordinance, 1991-92) are hereby amended so that the same shall read as follows:

(Amendment)	No. Pos.	Class & Item No.	Class & Title	Compensation Schedule
		Dept.:	27 Airports Commission	
		Division:	99 Airport Costs	
		Section:	00 Airport Costs	
		Program:	2405 Airport Operation & Maintenance	
		Fund:	30001 Airport Operating Fund	
		Index:	574335 Program Expend Exp.	
		Proj/Phase:	007/01 Noise Monitoring Program	
		Object:	001 Permanent Salaries-Miscellaneous	
3 added	3	9212	Airfield Safety Officer.....SC	$1407B1706

APPROVED AS TO CLASSIFICATION:
CIVIL SERVICE COMMISSION

John J. Walsh for
GENERAL MANAGER, PERSONNEL

Civil Service Commission

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By: Pauline R. Lakey
DEPUTY CITY ATTORNEY

NO. 14

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CC

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 9, 1992	March 16, 1992
Ayes: Supervisors Achtenberg Alioto Britt Hallinan Hsieh Migden Shelley	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisors Gonzalez Maher Kennedy Ward	Absent: Supervisor Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
102-91-16

MAR 25 1992
Date Approved

Mayor

Amendment of the Whole 3/4/92.

FILE NO. 101-91-50

ORDINANCE NO. 89-92

RO# 91171 SA# 52,66 & 67

APPROPRIATING $1,832,309 FOR OVERTIME, OTHER EQUIPMENT RENTALS, SUBSISTENCE - PERSONS, TRAINING, EQUIPMENT PURCHASE (AUTOMOTIVE VEHICLES) AND SERVICES OF OTHER DEPARTMENTS BUILDING REPAIR, SHERIFF DEPARTMENT FOR FISCAL YEAR 1991-92.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1991-92 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
01-001	General Fund		
G.L. 496 (000026)	Unappropriated Revenue Reserves		
Subsidiary 000006	General Reserve	$1,832,309	
06-00-00	Sheriff		
03-0100 (306589)	Overtime		$ 821,365
10-1243	Other Equipment Rentals		18,000
10-1251	Subsistence - Persons		925,244
10-1274	Outside Training		29,700
22-2201	Automotive Vehicles		20,000
30-3180	Services of other Departments-Building Repair		18,000
	TOTAL	$1,832,309	$1,832,309

Approved As To Form:
Louise H. Renne, City Attorney

By: Theodore R. Lakey
Deputy City Attorney

Funds Available:
John W. Madden
Controller

Emle.341

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CC

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 9, 1992	March 16, 1992
Ayes: Supervisors Achtenberg Alioto Britt Hallinan Hsieh Migden Shelley	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisors Gonzalez Maher Kennedy Ward	Absent: Supervisor Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-91-50

MAR 25 1992
Date Approved

Frank M. Jordan
Mayor

Finance

FILE NO. 101-91-51

ORDINANCE NO. 90-92

RO# 91165 SA# 68

APPROPRIATING $17,730 FOR PERMANENT SALARIES, RELATED MANDATORY FRINGE BENEFITS, OTHER CONTRACTUAL SERVICES, OTHER SERVICES, TELEPHONE AND MATERIALS AND SUPPLIES, PUBLIC ADMINISTRATOR FOR YEAR 1991-92.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1991-92 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
01-001	General Fund		
G.L. 496 (000026)	Unappropriated Revenue Reserved		
Subsidiary 000006	General Reserve	$17,730	
79-00-00	Public Administrator		
Project 029-01	Day Laborers Program		
01-0010 (429084)	Permanent Salaries		$12,011
04-0600	Mandatory Fringe Benefits		1,983
10-1090	Other Contractual Services		1,023
10-1200	Other Services		1,983
10-1230	Telephone		240
11-1300	Materials and Supplies		490
	TOTAL	$17,730	$17,730

Approved As To Form:
Louise H. Renne, City Attorney

By: Deputy City Attorney

Funds Available:

Controller

Ernie 33

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CC

Board of Supervisors, San Francisco

Passed for Second Reading
March 9, 1992
Ayes: Supervisors Achtenberg Alioto Britt Hallinan Hsieh Migden Shelley
Absent: Supervisors Gonzalez Maher Kennedy Ward

Finally Passed
March 16, 1992
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisor Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 101-91-51

MAR 25 1992
Date Approved

Mayor

Amended in Cmte. 3/4/92.

FILE NO. 101-91-47

ORDINANCE NO. 91-92

RO # 91152 SA # 58

(Government Funding)

APPROPRIATING $4,468,423 FOR PERMANENT SALARIES - MISCELLANEOUS AND RELATED MANDATORY FRINGE BENEFITS, OVERTIME, MEDICAL SERVICES CONTRACT AND PRINTING, FOR THE CREATION OF NINE (9) POSITIONS, PUBLIC HEALTH - DMSF FOR FISCAL YEAR 1991-92.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1991-92 as follows:

Department And Number	Source Of Funds And Purpose of Appropriation	Amount Debit	Amount Credit
01-001	General Fund		
60-6075 (040915)	State Alcohol Funds	$4,204,815	
76-7698 (040915)	Short Doyle Medi-Cal	263,608	
87-28-70	CSAS - Administration		
01-00-10 (732180)	Permanent Salaries - Miscellaneous		$94,064
04-0600	Mandatory Fringe Benefit		23,424
10-1010	Medical Services Contract		4,079,206
10-1236	Printing		7,153
	Total - CSAS - Administration		$4,203,847
87-28-21	CSAS-Alcohol Administration		
01-0010 (790014)	Permanent Salaries - Miscellaneous		$142,674
03-0100	Overtime		9,059
04-0600	Mandatory Fringe Benefit		38,373
	Total - CSAS - Alcohol Administration		$190,106
87-28-31	CSAS - Drug Administration		
01-0010 (790063)	Permanent Salaries - Miscellaneous		$58,438
04-0600	Mandatory Fringe Benefit		16,032
	Total - CSAS - Drug Administration		$74,470
	GRAND TOTAL	$4,468,423	$4,468,423

3/4/92 BT

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Section 2. Funds are hereby appropriated for nine (9) positions created by amendment to the Annual Salary Ordinance (Board of Supervisors File No. 102-91-15) as follows:

Fund Department Classification	General Fund Social Services RATE	Created
1823 A L Sr. Administrative Analyst	$1,714 B $2,084	2
2218 A L Physician Assistant	1,723 B 2,094	1
2305 A L Physician Technician	1,109 B 1,342	2
2587 A L Health Worker III	1,013 B 1,226	4
	Total	9

Approved As To Form:
Louise H. Renne, City Attorney

BY: _____
Deputy City Attorney

Funds Available:

_____
Controller

Civil Service Commission

BY: John J. Welsh for
General Manager, Personnel

Ernie.31

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
March 9, 1992	§	March 16, 1992
	§	
	§	
Ayes: Supervisors Achtenberg Alioto Hallinan Hsieh Migden Shelley	§	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
	§	
	§	
Absent: Supervisors Britt Gonzalez Kennedy Maher Ward	§	Absent: Supervisor Maher
	§	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-91-47

MAR 27 1992
Date Approved

Frank M. Jordan
Mayor

Amended in Cmte. 3/4/92.

FILE NO. 102-91-15 ORDINANCE NO. 92-92

PUBLIC EMPLOYMENT SAL.ORD.AMEND.NO. 13

AMENDING ORDINANCE NO. 304-91 (ANNUAL SALARY ORDINANCE, 1991-92) REFLECTING THE ADDITION OF NINE POSITIONS IN THE DEPARTMENT OF PUBLIC HEALTH, MENTAL HEALTH AND SUBSTANCE ABUSE DIVISIONS.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated sections and items of Ordinance No. 304-91 (Annual Salary Ordinance, 1991-92) are hereby amended so that the same shall read as follows:

(Amendment)	No. Pos.	Class & Item No.	Class & Title	Compensation Schedule
		Dept.: 87	Community Mental Health	
		Division: 28	Substance Abuse	
		Section: 70	Sub Abuse Prog Budget Only	
		Program: 4308	CSAS Administration	
		Fund: 01001	General Fund	
		Index: 732180	CSAS Administration	
		Proj/Phase: 000/00	Unassigned Title	
		Object: 001	Permanent Salaries-Miscellaneous	
3/4/92 BT 2 added	2	1823 L A	Senior Administrative Analyst.....Z	$1714B2084
		Dept.: 87	Community Mental Health	
		Division: 28	Substance Abuse	
		Section: 21	TSSATC	
		Program: 4306	TSSATC	
		Fund: 01001	General Fund	
		Index: 790014	TSSATC	
		Proj/Phase: 000/00	Unassigned Title	
		Object: 001	Permanent Salaries-Miscellaneous	
3/4/92 BT 1 added	1	2218 L A	Physician Assistant.....SC.	1723B2094
2 added	2	2305 L A	Psychiatric Technician.....SC.	1109B1342
2 added	2	2587 L A	Health Worker III.....SC.	1013B1226
		Dept. 87	Community Mental Health	
		Division: 28	Substance Abuse	
		Section: 31	HS Exp	
		Program: 4307	HS Exp	
		Fund: 01001	General Fund	
		Index: 790063	HS Exp	
		Proj/Phase: 000/00	Unassigned Title	
		Object: 001	Permanent Salaries-Miscellaneous	
3/4/92 BT 2 added	2	2587 L A	Health Worker III.....SC.	1013B1226

/

APPROVED AS TO CLASSIFICATION:
CIVIL SERVICE COMMISSION

GENERAL MANAGER, PERSONNEL

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

by DEPUTY CITY ATTORNEY

DEPARTMENT OF PUBLIC DOCUMENTS DIVISION
APR 1 0 1992
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NO. 13

/

Civil Service Commission
Board of Supervisors

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 9, 1992	March 16, 1992
Ayes: Supervisors Achtenberg Alioto Hallinan Hsieh Migden Shelley	Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisors Britt Gonzalez Kennedy Maher Ward	Absent: Supervisor Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
102-91-15

MAR 27 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 101-91-55

ORDINANCE NO. 93-92

RO# 91182 SA# 78

APPROPRIATING $3,000,000 FOR BENEFIT PAYOFF - MISCELLANEOUS, CONTROLLER'S OFFICE FOR FISCAL YEAR 1991-92; PLACING $3,000,000 ON RESERVE.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1991-92 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
01-001	General Fund		
G.L. 496 (000026)	Unappropriated Revenue Reserved		
Subsidiary 000006	General Reserve	$3,000,000	
99-00-00	General Fund Unallocated		
01-0014 (550707)	Benefit Payoff - Miscellaneous		$3,000,000

Section 2. Funds appropriated herein are to be held in Reserve and maybe released with the approval of the Finance Committee to backfill critical needed positions which are vacated by employees who opt for an early retirement as provided in Charter Section 8.517-2.

Approved As To Form:
Louise H. Renne, City Attorney

By: Deputy City Attorney

Funds Available:

Controller

Ernie.38

CC

DEPOSITORY ITEM
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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 16, 1992	March 23, 1992
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward	Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisor Maher	Absent: Supervisors Alioto Britt Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 101-91-55

MAR 3 0 1992
Date Approved

Mayor

FILE NO. 45-92-6

ORDINANCE NO. 94-92

RO #91164

(SETTLEMENT OF LAWSUIT)
AUTHORIZING SETTLEMENT OF LITIGATION OF ROBERT LEWIS AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $7,500.00.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "ROBERT LEWIS V. THE CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court No. 920-032, by the payment of $7,500.00.

APPROVED AS TO FORM AND RECOMMENDED:
LOUISE H. RENNE, CITY ATTORNEY

KIMBERLY A. RILEY
Chief Trial Deputy

RECOMMENDED:

KENNETH E. DOWLIN
City Librarian

FUNDS AVAILABLE:

CONTROLLER

01 001 97 09 41
615054 1450 $7,500.00

FEB 12 1992

BOARD OF SUPERVISORS

CC

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 16, 1992	March 23, 1992
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward	Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisor Maher	Absent: Supervisors Alioto Britt Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-92-6

APR 0 2 1992
Date Approved

Mayor

FILE NO. 45-92-7

ORDINANCE NO. 95-92

RO #91166

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF TAE BOON KIM AND JUDY YIM AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $8,000.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "TAE BOON KIM and JUDY YIM v. CITY AND COUNTY OF SAN FRANCISCO, et al.," Municipal Court No. 057-237, by the payment of $8,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

POLICE DEPARTMENT

WILLIS CASEY, Chief

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 38
309781 1450 $8,000.00

FEB 12 1992

APPROVED:

SECRETARY
Police Commission

BOARD OF SUPERVISORS

CC

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Board of Supervisors, San Francisco

Passed for Second Reading

March 16, 1992

Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward

Absent: Supervisor Maher

Finally Passed

March 23, 1992

Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward

Absent: Supervisors Alioto Britt Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-92-7

APR 0 2 1992
Date Approved

Mayor

FILE NO. 45-92-8

ORDINANCE NO. 96-92

RO #91170

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF ALISON WRIGHT v. CITY AND COUNTY OF SAN FRANCISCO, ET AL., United States District Court Nos. C89-3390/3724 JPV, for $120,000.

Be it ordained by the People of the City and County of San Francisco:

The City Attorney is hereby authorized to settle the action entitled ALISON WRIGHT v. CITY AND COUNTY OF SAN FRANCISCO, ET AL., United States District Court Nos. C89-3390/3724 JPV, by the payment of $120,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

By
KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

SAN FRANCISCO POLICE DEPARTMENT

WILLIS CASEY
Chief

FUNDS AVAILABLE:
01 001 97 09 38
309781 1450 $120,000.00

EDWARD HARRINGTON
Controller

FEB 14 1992

APPROVED:

SAN FRANCISCO POLICE COMMISSION

Secretary

BOARD OF SUPERVISORS

CC

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 16, 1992	March 23, 1992
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward	Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisor Maher	Absent: Supervisors Alioto Britt Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
45-92-8

APR 02 1992
Date Approved

Mayor

FILE NO. 45-92-9

ORDINANCE NO. 97-92

RO #91177

CC

(Settlement of Lawsuit)

AUTHORIZING SETTLEMENT OF LITIGATION OF CAESAR ASCARRUNZ, ET AL., AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $70,000.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "CAESAR ASCARRUNZ, ET AL., V. CITY AND COUNTY OF SAN FRANCISCO," Superior Court No. 933-767, by the payment of $70,000.

APPROVED AS TO FORM AND RECOMMENDED:

THOMAS J. OWEN
Deputy City Attorney

RECOMMENDED:

POLICE DEPARTMENT

WILLIS CASEY, Chief

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 38
809781 1450 $70,000.00

FEB 25 1992

APPROVED:

SECRETARY
Police Commission

BOARD OF SUPERVISORS

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 16, 1992	March 23, 1992
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward	Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisor Maher	Absent: Supervisors Alioto Britt Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-92-9

APR 0 2 1992
Date Approved

Mayor

FILE NO. 45-92-10 ORDINANCE NO. 98-92

RO #91180

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF AUGUSTO CANO AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $25,000.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "AUGUSTO CANO v. CITY AND COUNTY OF SAN FRANCISCO, et al.,"Superior Court No. 882-401, by the payment of $25,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

RICHARD HONGISTO
Assessor

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 02
310110 1450 $25,000.00

FEB 25 1992

BOARD OF SUPERVISORS
8478N

CC

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 16, 1992	March 23, 1992
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward	Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisor Maher	Absent: Supervisors Alioto Britt Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-92-10

APR 0 2 1992
Date Approved

Mayor

FILE NO. 46-92-2 ORDINANCE NO. 99-92

CC

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF CITY AND COUNTY OF SAN FRANCISCO V. HARVEY PETERS, GREYHOND LINES, INC., ET AL., UPON RECEIPT OF THE SUM OF $12,500.00 AND DISMISSAL OF COMPLAINT.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized and directed to settle San Francisco Municipal Court No. 042979 entitled "City and County of San Francisco, Plaintiff, v. Harvey Peters, Greyhound Lines, Inc., et al., Defendants" by acceptance of the sum of $12,500.00 from the defendants and dismissing complaint.

Section 2. Upon receipt of said sum of $12,500.00 and appropriate paperwork the City Attorney is authorized to dismiss said complaint.

APPROVED
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

By Kimberly A. Reiley
KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

RETIREMENT BOARD
SAN FRANCISCO CITY AND COUNTY
EMPLOYEES' RETIREMENT SYSTEM

By Pamela A. Levesque
PAM LEVESQUE
Executive Assistant to
General Manager

BOARD OF SUPERVISORS

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Board of Supervisors. San Francisco

Passed for Second Reading	Finally Passed
March 16. 1992	March 23, 1992
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward	Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisor Maher	Absent: Supervisors Alioto Britt Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
46-92-2

APR 0 2 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 47-92-1 ORDINANCE NO. 100-92

CC

[Automobile Detailing Lease Documents]

APPROVING AND ADOPTING GOLDEN GATEWAY GARAGE AUTOMOBILE DETAILING LEGAL DOCUMENTS AND AUTHORIZATION TO LEASE.

Be It Ordained by the People of the City and County of San Francisco:

Section 1. In accordance with the recommendation of the Parking and Traffic Commission of the City and County of San Francisco, there has been filed with the Clerk of the Board certain documents which consist of:

1. Form of Invitation for Bids
2. Form of Bid
3. Form of Questionnaire
4. Form of Lease

Section 2. The legal documents are hereby approved in substantially the form now filed in the Office of the Clerk of the Board of Supervisors and are made a part hereof by reference.

Section 3. The Director of Property is authorized to call for bids of said lease pursuant to and in accordance with the Invitation of Bids and Bid Form.

RECOMMENDED:

Director of Parking and Traffic

Director of Property

APPROVED AS TO FORM;
LOUISE H. RENNE, City Attorney

By Deputy City Attorney

CV.88/225 1/28/92

(Real Estate)

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 16, 1992	March 23, 1992
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward	Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward
Absent: Supervisor Maher	Absent: Supervisors Alioto Britt Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 47-92-1

APR 0 3 1992
Date Approved

Mayor

44974

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